

(R-91-1388)

RESOLUTION NUMBER R- 277432

ADOPTED ON FEB 26 1991

A RESOLUTION AMENDING RESOLUTION NO. 277076 WHICH DETERMINED AND DECLARED 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 THE NORTHEAST QUARTER AND THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 14 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO OFFICIAL PLAT THEREOF, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA DESCRIBED MORE FULLY IN EXHIBIT "A" ATTACHED HERETO; 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 OWNER(S) 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 in the matters referenced 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 the portion of the Northeast Quarter and that portion of the Northeast Quarter of the Northwest Quarter, Section 27, Township 14 South, Range 2 West, San Bernardino Meridian, according to official plat thereof, in the City of San Diego, County of San Diego, State of California described more fully in Exhibit "A" attached hereto; and

WHEREAS, the City of San Diego has the power of eminent domain pursuant to, inter alia, Sections 1240.010, 1240.110, 1240.120, 1240.410, 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, 5012, 5023 and 5023.1 of the Streets and Highways Code.

WHEREAS, it is in the public interest and necessity to

acquire the subject property as hereinafter described for 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 storm drain or drains and incidents thereto;

WHEREAS, on December 11, 1990, Resolution No. 277076 was adopted by this Council 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, inter alia, together with earth excavations or embankments, slope or slopes and incidents thereto and appurtenant structures; and

WHEREAS, through inadvertence Parcels B-15 and B-16 were omitted from the legal description attached to Resolution No. 277076;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN DIEGO, AS FOLLOWS:

Section 1. Resolution No. 277076 be and hereby is amended by the inclusion and addition of Parcels B-15 and B-16 described in the attached legal resolution so that the legal description attached hereto as Exhibit "A" is the corrected version.

Section 2. That this Resolution is merely a clarification of and correction of a clerical oversight.

Section 3. 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 the portion of that portion of the Northeast Quarter and that portion of the Northeast Quarter of the Northwest Quarter of Section 27, Township 14 South, Range 2 West, San Bernardino Meridian, according to official plat thereof, in the City of San Diego, County of San Diego, State of California described more fully in Exhibit "A" attached hereto.

Section 4. That the public interest, convenience and necessity of the City of San Diego, and the inhabitants thereof, demand the acquisition and taking of fee title to and the 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 5. That Sections 1240.010, 1240.110, 1240.120, 1240.410, 1240.420, 1240.610 and 1255.410 of the California Code of Civil Procedure; Section 220, Charter of the City of San Diego; Sections 37350.5 and 40404 of the Government Code and Sections 4090 and 5101, 5102, 5023 and 5023.1 of the Streets and Highways Code; inter alia, permit the acquisitions referenced

herein.

Section 6. 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 as though fully set forth at this point.

Section 7. 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, 1240.410, 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 8. 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 least private injury.

Section 9. 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 owner(s) of record of the property.

Section 10. 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 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 owner(s) 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 *Susan Hinz Bowmaster*  
Susan Hinz Bowmaster  
Deputy City Attorney

DWD:dr:Lit.  
02/11/91  
Or.Dept:Prop.  
Aud.Cert:9100431  
R-91-1388  
Form=r.title

**EXHIBIT A**

**LEGAL DESCRIPTION**

**PARCEL A-1 FEE ACQUISITION FOR SCRIPPS NORTH PARKWAY**

That portion of the Northeast Quarter of the Northwest Quarter of Section 27, Township 14 South, Range 2 West, San Bernardino Meridian according to official plat thereof in the City of San Diego, County of San Diego, State of California, included within a strip of land 98.00 feet wide, lying 49.00 feet on each side of the following described centerline:

Beginning at a point on the Westerly line of said Northeast Quarter, said point being distant 300.00 feet Southerly, as measured along said Westerly line, from the Northwest corner of said Northeast Quarter;

Thence South  $89^{\circ}54'17''$  East, a distance of 1326.51 feet to the Easterly line of said Northeast Quarter, and the terminus of this centerline description.

The side lines of above described strip are to be lengthened or shortened to terminate Westerly in said Westerly line of said Northeast Quarter, and Easterly in said Easterly line of said Northeast Quarter.

Said strip containing 2.98 Acres, more or less.

**SLOPE EASEMENTS:**

An easement for a right of way for an earth excavation or embankment slope or slopes, through, over, under, upon along and across those portions of the Northeast Quarter of the Northwest Quarter of Section 27, Township 14 South, Range 2 West, San Bernardino Meridian according to official plat thereof in the City of San Diego, County of San Diego, State of California, described as follows:

**PARCEL A-2**

Beginning at a point on the Westerly line of said Northeast Quarter, said point being distant 232.95 feet Southerly, as measured along said Westerly line, from the Northwest corner of said Northeast Quarter; Thence in an Easterly direction along the following eleven (11) courses:

- South  $89^{\circ}19'55''$  East a distance of 115.29 feet;
- South  $89^{\circ}47'25''$  East a distance of 150.00 feet;
- North  $86^{\circ}49'58''$  East a distance of 200.33 feet;
- North  $85^{\circ}44'57''$  East a distance of 50.14 feet;
- South  $73^{\circ}06'02''$  East a distance of 52.23 feet;
- North  $41^{\circ}51'20''$  East a distance of 75.07 feet;
- South  $42^{\circ}20'04''$  East a distance of 74.11 feet;
- North  $84^{\circ}09'28''$  East a distance of 100.54 feet;
- South  $87^{\circ}30'00''$  East a distance of 109.41 feet;
- North  $62^{\circ}00'00''$  East a distance of 415.05 feet;

North 87°00'00" East a distance of 86.60 feet to the Easterly line of said Northeast Quarter;  
Thence South 00°16'03" West along said East line a distance of 223.95 feet;  
Thence North 89°54'17" West a distance of 1326.58 feet to the Westerly line of said Northeast Quarter;  
Thence North 00°11'27" East along said Westerly line of distance of 18.05 feet to the POINT OF BEGINNING.

Containing 1.95 Acres, more or less.

### **PARCEL A-3**

Beginning at a point on the Westerly line of said Northeast Quarter, said point being distant 349.00 feet Southerly, as measured along said Westerly line, from the Northwest corner of Said Northeast Quarter;

Thence South 89°54'17" East a distance of 1326.44 feet to the Easterly line of said Northeast Quarter.

Thence South 00°16'03" West along said Easterly line a distance of 51.04 feet;

Thence in a Westerly direction along the following eleven (11) courses:

North 74°13'00" West a distance of 117.50 feet;

South 81°07'00" West a distance of 250.76 feet;

North 57°41'37" West a distance of 59.10 feet;

South 76°22'59" West a distance of 51.47 feet;

South 58°47'44" West a distance of 58.52 feet;

South 86°26'00" West a distance of 50.10 feet;

North 81°15'43" West a distance of 151.72 feet;

North 84°59'22" West a distance of 401.48 feet;

South 87°17'24" West a distance of 100.12 feet;

North 84°11'39" West a distance of 50.25 feet;

South 87°13'58" West a distance of 65.59 feet to said Westerly line of the Northeast Quarter; Thence along said Westerly line a distance of 18.68 feet to the POINT OF BEGINNING.

Containing 1.14 Acres, more or less.

### **DRAINAGE EASEMENT**

An easement for a right of way for the construction, operation and maintenance of a storm drain or drains and appurtenances thereto, through, over, under, along and across those portions of the Northeast Quarter of the Northwest Quarter of Section 27, Township 14, South, Range 2 West, San Bernardino Meridian, according to official plat thereof, in the City of San Diego, County of San Diego, State of California, described as follows:



**PARCEL A-7**

That portion included within a strip of land, 20.00 wide, lying 10.00 feet on each side of the following described centerline:

Beginning at the Northwest corner of said Northeast Quarter; Thence South 00°11'27" West along the Westerly line of said Northeast Quarter a distance of 251.00 feet to the Northerly line of Scripps North Parkway (98.00 feet wide) as shown on City of San Diego Street Dedication Drawing No. 25925-D;

Thence North 89°54'17" West along said Northerly line a distance of 611.57 feet to the TRUE POINT OF BEGINNING;

Thence North 01°33'17" East a distance of 60.00 feet and the terminus of this centerline description.

The sidelines of above described strip are to be lengthened or shortened to terminate Northerly in a line at right angles to herein described centerline, and Southerly in said Northerly line of Scripps North Parkway.

Said strip containing 1200.00 sq. ft. more or less.

**PARCEL A-8**

That portion included within a strip of land, 20.00 wide, lying 10.00 feet on each side of the following described centerline:

Beginning at the Northeast corner of said Northeast Quarter; Thence South 00°16'03" West along the Easterly line of said Northeast Quarter a distance of 251.02 feet to the Northerly line of Scripps North Parkway (98.00 feet wide) as shown on City of San Diego Drawing No. 25925-D;

Thence North 89°54'17" West along said Northerly line a distance of 131.26 feet to the TRUE POINT OF BEGINNING;

Thence North 00°05'43" East a distance of 175.25 feet;

Thence North 57°58'42" East a distance of 90.20 feet to the Southwesterly line of Parcel 9 (drainage easement) as shown on said City of San Diego Drawing No. 25925-D, and the terminus of this centerline description.

The sidelines of above described strip are to be lengthened or shortened to terminate Northeasterly in said Southwesterly line of said Parcel 9 and Southerly in said Northerly line of Scripps North Parkway.

Said strip containing 0.12 acres, more or less.

**PARCEL A-9**

That portion included within a strip of land, 40.00 wide, lying 20.00 feet on each side of the following described centerline:

Beginning at a point on the Northerly line of said Northeast Quarter, said point being South 89°54'20" East a distance of 1278.79 feet, as measured along said Northerly line, from the Northwest corner of said Northeast Quarter;

Thence South 28°47'44" East a distance of 99.07 feet to the Easterly line of said Northeast Quarter, and the terminus of this centerline description.

The sidelines of above described strip are to be lengthened or shortened to terminate Northerly in said Northerly line of said Northeast Quarter, and Easterly in said Easterly line of said Northeast Quarter.

Said strip containing 0.09 acres, more or less.

**PARCEL A-12A**

Beginning at a point on the Easterly line of said Northeast Quarter, said point being South 00°16'03" West, as measured along said Easterly line, a distance of 45.56 feet from the Northeast corner of said Northeast Quarter, said point also being on the Northeasterly line of Parcel 9 (Drainage Easement), as shown on City of San Diego Drawing No. 25925-D;

Thence North 28°47'44" West along said Northeasterly line a distance of 26.15 feet;

Thence leaving said Northeasterly line South 61°25'58" East a distance of 14.42 feet to said Easterly line of said Northeast Quarter;

Thence South 00°16'03" West along said Easterly line a distance of 16.02 feet to the POINT OF BEGINNING.

Containing 102 sq. ft., more or less.

This Legal Description was prepared by me or under my supervision on November 30, 1990.



Eric A. Nelson  
P.L.S. 5563



**EXHIBIT A**

**LEGAL DESCRIPTION**

**PARCEL B-4 - FEE ACQUISITION FOR SCRIPPS NORTH PARKWAY**

That portion of the Northeast Quarter of Section 27, Township 14 South, Range 2 West, San Bernardino Meridian, according to official plat thereof, in the City of San Diego, County of San Diego, State of California, included within a strip of land 98.00 feet wide, lying 49.00 feet on each side of the following described center line:

Beginning at a point on the Westerly line of said Northeast Quarter distant 300.02 feet Southerly, as measured along said Westerly line, from the Northwest corner of said Northeast Quarter, said point being the beginning of a curve concave Northerly and having a radius of 2500.00 feet, a radial line to said point bears South 00°05'43" West;

Thence Easterly along said curve through a central angle of 11°20'00" an arc distance of 494.51 feet;

Thence North 78°45'43" East a distance of 301.26 feet to the beginning of a curve concave Southerly and having a radius of 1900.00 feet;

Thence Easterly along said curve through a central angle of 11°20'00" an arc distance of 375.83 feet;

Thence South 89°54'17" East a distance of 670.00 feet to the beginning of a curve concave Southerly and having a radius of 1900.00 feet;

Thence Easterly along said curve through a central angle of 07°41'44" an arc distance of 255.19 feet;

Thence South 82°12'33" East a distance of 372.74 feet to the beginning of a curve concave Northerly and having a radius of 1900.00 feet;

Thence Easterly along said curve through a central angle of 06°03'05" an arc distance of 200.67 feet to the Easterly line of said Section 27 and the terminus of this centerline description.

The side lines of above described strip are to be lengthened or shortened to terminate Westerly in the Westerly line of said Northeast Quarter and Easterly in said Easterly line of Section 27;

Said strip containing 6.00 acres, more or less.

**SLOPE EASEMENTS:**

An easement for a right of way for an earth excavation or embankment slope or slopes, through, over, under, upon, along and across those portion of the Northeast Quarter of Section 27, Township 14 South, Range 2 West, San Bernardino Meridian, according to official plat thereof, in the City of San Diego, County of San Diego, State of California, described as follows:

**PARCEL B-5**

Beginning at a point on the Westerly line of said Northeast Quarter, said point being South 00°16'03" West a distance of 349.02 feet, as measured along said Westerly line, from the Northwest corner of said Northeast Quarter, said point also being the beginning of a non-tangent curve concave Northerly and having a radius of 2549.00 feet, a radial line to said point bears South 00°05'55" West

Thence Easterly along said curve through a central angle of 11°20'12" an arc distance of 504.35 feet;

Thence North 78°45'43" East a distance of 301.26 feet to the beginning of a curve concave Southerly and having a radius of 1851.00 feet;

Thence Easterly along said curve through a central angle of 11°20'00" an arc distance of 366.14 feet;

Thence South 89°54'17" East a distance of 670.00 feet to the beginning of a curve concave Southerly and having a radius of 1851.00 feet;

Thence Easterly along said curve through a central angle of 07°41'44" an arc distance of 248.61 feet;

Thence South 82°12'33" East a distance of 372.74 feet to the beginning of a curve concave Northerly and having a radius of 1949.00 feet;

Thence Easterly along said curve through a central angle of 06°05'14" an arc distance of 207.07 feet to the Easterly line of said Section 27;

Thence South 00°19'20" West along said Easterly line a distance of 287.57 feet;

Thence in a Westerly direction along the following nineteen (19) courses:

North 89°54'28" West a distance of 110.71 feet;

South 74°02'25" West a distance of 144.64 feet;

North 62°25'52" West a distance of 140.89 feet;

North 34°41'34" West a distance of 275.18 feet;

South 52°49'19" West a distance of 109.80 feet;

South 85°00'00" West a distance of 143.55 feet;

North 54°20'43" West a distance of 138.94 feet;

North 26°28'12" West a distance of 111.80 feet;

South 83°33'13" West a distance of 150.98 feet;

South 53°03'39" West a distance of 290.22 feet;

North 75°13'24" West a distance of 141.85 feet;

North 50°36'50" West a distance of 227.08 feet;

South 48°01'15" West a distance of 226.19 feet;

South 60°59'12" West a distance of 144.94 feet;

North 88°40'00" West a distance of 146.76 feet;

North 59°13'33" West a distance of 224.77 feet;

South 48°47'59" West a distance of 242.51 feet;

North 89°43'57" West a distance of 90.14 feet;

North 53°19'00" West a distance of 157.08 feet to said Westerly line of the Northeast

Quarter;

Thence North 00°16'03" East along said Westerly line a distance of 56.02 feet to the POINT OF BEGINNING.

Containing 9.52 acres, more or less.

**PARCEL B-6**

Beginning at point on the Westerly line of said Northeast Quarter, said point being South 00°16'03" West a distance of 19.83 feet, as measured along said Westerly line, from the Northwest corner of said Northeast Quarter;

Thence in an Easterly direction the following twenty-seven (27) courses:

South 68°18'27" East a distance of 85.22 feet;  
South 63°02'54" East a distance of 52.04 feet;  
South 54°04'04" East a distance of 59.62 feet;  
South 59°22'20" East a distance of 57.26 feet;  
South 72°04'07" East a distance of 51.62 feet;  
South 84°46'54" East a distance of 97.70 feet;  
South 82°42'49" East a distance of 100.81 feet;  
North 37°50'21" East a distance of 65.94 feet;  
North 57°39'19" East a distance of 53.60 feet;  
North 81°44'19" East a distance of 50.07 feet;  
North 88°36'42" East a distance of 311.25 feet;  
South 89°53'40" East a distance of 104.96 feet;  
North 33°18'39" East a distance of 95.22 feet to the Northerly line of said Section 27;

Thence South 89°54'20" East along said Northerly line a distance of 224.06 feet;

Thence leaving said Northerly line and continuing in an Easterly direction the remaining thirteen (13) courses:

South 83°12'46" East a distance of 180.50 feet;  
South 86°16'51" East a distance of 150.30 feet;  
South 75°26'17" East a distance of 51.64 feet;  
South 64°27'01" East a distance of 55.38 feet;  
South 77°49'33" East a distance of 51.13 feet;  
North 56°40'14" East a distance of 59.91 feet;  
North 88°34'20" East a distance of 159.23 feet;  
South 86°25'55" East a distance of 53.21 feet;  
South 66°06'22" East a distance of 55.44 feet;  
South 54°21'33" East a distance of 59.01 feet;  
North 76°33'47" East a distance of 56.99 feet;  
South 79°06'15" East a distance of 51.85 feet;  
North 68°48'38" East a distance of 267.23 feet to said Northerly line of Section 27;

Thence South 89°54'20" East along said Northerly line a distance of 161.00 feet to the Northeast corner of said Section 27;

Thence South 00°19'20" West along the Easterly line of said Section 27 a distance of 189.40 feet to the beginning of a non-tangent curve concave Northerly and having a radius of 1851.00 feet, a radial to said beginning bears South 01°46'37" West;  
Thence Westerly along said curve through a central angle of 06°00'50" an arc distance of 194.29 feet;  
Then North 82°12'33" West a distance of 372.74 feet to the beginning of a curve concave Southerly and having a radius of 1949.00 feet;  
Thence Westerly along said curve through a central angle of 07°41'44" a distance of 261.78 feet;  
Thence North 89°54'17" West a distance of 670.00 feet to the beginning of a curve concave Southerly and having a radius of 1949.00 feet;  
Thence Westerly along said curve through a central angle of 11°20'00" an arc distance of 385.52 feet;  
Thence South 78°45'43" West a distance of 301.26 feet to the beginning of a curve concave Northerly and having a radius of 2451.00 feet;  
Thence Westerly along said curve through a central angle of 11°19'48" an arc distance of 484.68 feet to said Westerly line of the Northeast Quarter;  
Thence North 00°16'03" East along said Westerly line a distance of 231.19 feet to the POINT OF BEGINNING.

Containing 5.46 acres, more or less.

#### **DRAINAGE EASEMENTS:**

An easement for a right of way for the construction, operation and maintenance of a storm drain or drains and appurtenances thereto, through, over, under, along and across those portions of the Northeast Quarter of Section 27, township 14 south, Range 2 West, San bernardino Meridian, according to official plat thereof, in the city of San diego, county of San diego, State of California, described as follows:

#### **PARCEL B-10**

That portion included within a strip of land, 40.00 feet wide, lying 20.00 feet on each side of the following described centerline:

Beginning at a point on the Westerly line of said Northeast Quarter, said point being South 00°16'03" West a distance of 251.02 feet, as measured along said Westerly line, from the Northwest corner of said Northeast Quarter, said point being the beginning of a non-tangent curve concave Northerly and having a radius of 2451.00 feet, a radial line to said point bears South 00°05'31" West, said point being also in the Northerly line of Scripps North Parkway, 98.00 feet wide, as shown on City of San Diego Drawing No. 25925-D;  
Thence Easterly along said curve and said Northerly line through a central angle of 02°06'35" an arc distance of 90.25 feet to the TRUE POINT OF BEGINNING of said centerline, a radial line to said point bears South 02°01'04" East;

Thence leaving said Northerly line North 28°47'44" West, a distance of 185.73 feet to the terminus of this centerline description.

The sidelines of the above described strip are to be lengthened or shortened to terminate Southerly in said Northerly line of Scripps North Parkway, and Northerly in said Westerly line of said Northeast quarter.

Said strip containing 0.17 acres, more or less.

#### **PARCEL B-11**

That portion included within a strip of land 40.00 feet wide, lying 20.00 feet on each side of the following described centerline:

Beginning at a point on the Westerly line of said Northeast Quarter, said point being South 00°16'03" West a distance of 349.02 feet, as measured along said Westerly line, from the Northwest corner of said Northeast Quarter, said point being the beginning of a non-tangent curve concave Northerly and having a radius of 2549.00 feet, a radial line to said point bears South 00°05'55" West, said point being also in the Southerly line of Scripps North Parkway, 98.00 feet wide, as shown on City of San Diego Drawing No. 25925-D;

Thence Easterly along said curve and said Southerly line through a central angle of 03°13'22" an arc distance of 143.38 feet to the TRUE POINT OF BEGINNING of said centerline, a radial line to said point bears South 03°07'27" East;

Thence leaving said Southerly line South 28°47'44" East, a distance of 175.00 feet to the terminus of this centerline description.

The sidelines of the above described strip are to be lengthened or shortened to terminate Northerly in said Southerly line of Scripps North Parkway, and Southerly in a line at right angles to herein described centerline.

Said strip containing 0.16 acres, more or less.

#### **PARCEL B-12**

That portion included within a strip of land 15.00 feet wide lying 7.50 feet on each side of the following described centerline:

Beginning at a point on the Westerly line of said Northeast Quarter, said point being South 00°16'03" West a distance of 38.07 feet, as measured along said Westerly line, from the Northwest corner of said Northeast Quarter;

Thence leaving said Westerly line South 61°25'58" East a distance of 282.91 feet.

Thence South 79°13'06" East a distance of 200.22 feet to a point on the Northerly line of Scripps North Parkway (98.00 feet wide), as shown on City of San Diego Drawing No. 25925-D, and the terminus of this centerline description.

The sidelines of the above described strip are to be lengthened or shortened to terminate Northwesterly in said Westerly line of said Northeast Quarter, and Southeasterly in said Northerly line of Scripps North Parkway.

Said strip containing 0.17 acres, more or less.

#### PARCEL B-13

That portion included within a strip of land, 20.00 feet wide, lying 10.00 feet on each side of the following described centerline:

Beginning at a point on the easterly line of said Northeast Quarter, said point being South  $00^{\circ}19'20''$  West a distance of 287.43 feet, as measured along said easterly line, from the Northeast Corner of said Northeast Quarter, said point being the beginning of a non-tangent curve concave northerly and having a radius of 1949.00 feet, a radial line to said point bears South  $01^{\circ}42'13''$  West, said point also being on the southerly line of Scripps North Parkway, 98.00 feet wide, as shown on City of San Diego Drawing No. 25925-D;

Thence westerly along said curve and said southerly line through a central angle of  $06^{\circ}05'14''$  an arc distance of 207.07 feet;

Thence North  $82^{\circ}12'33''$  West, a distance of 296.69 feet to the TRUE POINT OF BEGINNING of said centerline;

Thence leaving said southerly line South  $15^{\circ}55'18''$  West, a distance of 40.00 feet to the terminus of this centerline description.

The sidelines of the above described strip are to be lengthened or shortened to terminate northerly in said southerly line of said Scripps North Parkway, and southerly in a line at right angles to herein described centerline.

Said strip containing 0.02 acres, more or less.

#### PARCEL B-14

That portion included within a strip of land, 20.00 feet wide, lying 10.00 feet on each side of the following described centerline:

Beginning at a point on the Easterly line of said Northeast Quarter, said point being South  $00^{\circ}19'20''$  West a distance of 189.40 feet, as measured along said Easterly line, from the Northeast Corner of said Northeast Quarter, said point being the beginning of a non-tangent curve, concave Northerly and having a radius of 1851.00 feet, a radial line to said point bears South  $01^{\circ}46'37''$  West, said point being also in the Northerly line of Scripps North Parkway, 98.00 feet wide, as shown on City of San Diego Drawing No. 25925-D;

Thence Westerly along said curve and said Northerly line through a central angle of  $06^{\circ}00'50''$  an arc distance of 194.29 feet;



Thence North  $82^{\circ}12'33''$  West, a distance of 282.70 feet to the TRUE POINT OF BEGINNING of said centerline;

Thence leaving said Northerly line North  $15^{\circ}55'18''$  East, a distance of 49.00 feet to the terminus of this centerline description.

The sidelines of the above described strip are to be lengthened or shortened to terminate Southerly in said Northerly line of said Scripps North Parkway, and Northerly in a line at right angles to herein described centerline.

Said strip containing 0.02 acres, more or less.

#### PARCEL B-15

Beginning at the Northeast Corner of said Northeast Quarter; Thence North  $89^{\circ}54'20''$  West along the Northerly line of said Northeast Quarter a distance of 1414.99 feet to the TRUE POINT OF BEGINNING;

Thence leaving said Northerly line South  $07^{\circ}53'59''$  East a distance of 107.08 feet to the Northerly line of Scripps North Parkway (98.00 feet wide), as shown on City of San Diego Drawing No. 25925-D;

Thence South  $89^{\circ}54'17''$  East along said Northerly line of said Scripps North Parkway a distance of 40.39 feet;

Thence leaving said Northerly line North  $07^{\circ}53'59''$  West a distance of 107.08 feet to said Northerly line of said Northeast Quarter;

Thence North  $89^{\circ}54'20''$  West along said Northerly line of said Northeast Quarter a distance of 40.39 feet to the TRUE POINT OF BEGINNING.

Said strip containing 0.10 Acres, more or less.

#### PARCEL B-16

Beginning at a point on the Easterly line of said Northeast Quarter, said point being South  $00^{\circ}19'20''$  West a distance of 287.43 feet, as measured along said Easterly line, from the Northeast Corner of said Northeast Quarter, said point being the beginning of a non-tangent curve, concave Northerly and having a radius of 1949.00 feet, a radial line to said point bears South  $01^{\circ}42'13''$  West, said point being also in the Southerly line of Scripps North Parkway, 98.00 feet wide, as shown on City of San Diego Drawing No. 25925-D;

Thence Westerly along said curve and said Southerly line through a central angle of  $06^{\circ}05'14''$  an arc distance of 207.07 feet;

Thence North  $82^{\circ}12'33''$  West, a distance of 372.74 feet to the beginning of a tangent curve concave Southerly and having a radius of 1851.00 feet;

Thence Westerly along said curve through a central angle of  $07^{\circ}41'44''$  an arc distance of 248.61 feet;

Thence North  $89^{\circ}54'17''$  West a distance of 521.27 feet to the TRUE POINT OF BEGINNING;

Thence leaving said Southerly line South  $07^{\circ}53'59''$  East a distance of 204.01 feet;

Thence South 89°02'26" West a distance of 37.15 feet;  
Thence North 50°38'08" West a distance of 4.60 feet;  
Thence North 07°53'59" West a distance of 201.76 feet to said Southerly line of Scripps North Parkway;  
Thence South 89°54'17" East along said Southerly line a distance of 40.39 feet to the TRUE POINT OF BEGINNING.

Said strip containing 0.19 acres, more or less.

This Legal Description was prepared by me or under my supervision on December 4, 1990.

*Eric A. Nelson*

Eric A. Nelson  
P.L.S. 5563



Page 8 of 8

W.O. 900803  
DWG. NO. 25925-D

R-277432

The City of San Diego  
**CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE      AC 9100431

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 \$ 1,100,000.00      Fund 63020

Purpose Authorizing the expenditure of funds for the condemnation of properties for the Alternate 8-A - Scripps North Parkway.

Date November 29, 19 90

By: *Amy Robinson*  
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1			6320	102	4279	650013				\$1,100,000.00
TOTAL AMOUNT										\$1,100,000.00

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										

FUND OVERRIDE

FEB 26 1991

R-277432

330

FEB 26 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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 *Ellen Bovard*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **R 277432** Adopted **FEB 26 1991**

RECEIVED

FEB 12 PM 4:45

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