

RESOLUTION NUMBER R-279179

ADOPTED ON DECEMBER 10, 1991

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 STATE ROUTE 56/CARMEL VALLEY RESTORATION AND ENHANCEMENT PLAN (CVREP) PROJECT ON PORTIONS OF SECTIONS 19 and 20, TOWNSHIP 14 SOUTH, RANGE 3 WEST AND SECTION 25, TOWNSHIP 14 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN; AND THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY DEMAND THE ACQUISITION OF FEE TITLE TO AND SLOPE AND ROAD EASEMENTS IN SAID PROPERTY FOR STATE 56/CARMEL VALLEY RESTORATION AND ENHANCEMENT PLAN (CVREP) PROJECT; 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 UNDER EMINENT DOMAIN PROCEEDINGS; AND DIRECTING THE CITY OF SAN DIEGO 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 IMMEDIATE POSSESSION THEREOF.

WHEREAS, the Council of The City of San Diego has provided notice to those persons designated in Section 1245.235, of the California 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, of the California Code of Civil Procedure;

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 State Route 56/Carmel Valley Restoration and Enhancement Plan (CVREP) Project, including any and all incidents thereto over, under, along and across portions of Sections 19 and 20, Township 14 South, Range 3 West, and Section 25, Township 14 South, Range 4 West, San Bernardino Meridian in the City of San Diego, County of San Diego, State of California, as more particularly described hereinafter.

Section 2. That the public interest, convenience and necessity of said City, and the inhabitants thereof, demand the acquisition and taking of fee simple absolute title to and slope and road easements in said property for the construction, operation and maintenance of State Route 56/Carmel Valley Restoration and Enhancement Plan (CVREP) Project including any and all incidents thereto, in said real property lying within the City of San Diego, County of San Diego, State of California.

Section 3. That, inter alia, Section 220, the Charter of The City of San Diego; Sections 1240.010, 1240.110, 1240.120, 1240.610 and 1255.410 of the Code of Civil Procedure; Sections 37350.5, 38900 and 40404 of the Government Code; and Sections 102, 130, 4090 and 5101 of the Streets and Highways Code permit the acquisitions referenced herein.

Section 4. That the parcels of real property and the interests sought to be condemned are described as follows:

(Goodwin/Sanderson)

PARCEL 26089

Fee Simple

That portion of the Northeast Quarter of the Northeast Quarter of Section 25, Township 14 South, Range 4 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California, according to Official Plat thereof, described as follows:

Beginning at the Southeast corner of the Northeast Quarter of the Northeast Quarter of said Section 25; thence along the Easterly line thereof North $0^{\circ}45'08''$ East 398 feet more or less to the Northeast corner of land described in Deed to Cyril Loring Guthridge et ux, recorded April 2, 1959 as Document No. 64610 in Book 7582, Page 135 of Official Records; thence Westerly along the Northerly line thereof 82 feet more or less to the Southeasterly line of land described in Deed to the State of California recorded October 30, 1962 as Document No. 186125 of Official Records; thence along said Southeasterly line South $34^{\circ}22'21''$ West 316 feet more or less to a point on a non tangent 450 foot radius curve, concave Southeasterly, a radial line bears North $43^{\circ}48'57''$ West to said point; thence Southwestelry along said curve through an angle of $20^{\circ}57'21''$ to the South line of said Northeast Quarter of the Northeast Quarter; thence Easterly along said South line 352 feet more or less to the Point of Beginning.

(Marvin Del Carmel)

PARCEL 26182-1 Fee Simple

That portion of the East half of the Southwest Quarter of the Southeast Quarter of Section 19, Township 14 South, Range 3 West, San Bernardino Meridian, according to U. S. Government Survey approved May 20, 1884 as described in deed to Marvin Del Carmel, a general partnership, recorded May 26, 1983 as File/Page No. 83-175453 of Official Records of San Diego County, State of California, described as follows:

Beginning at the Northwestern corner of said Marvin Del Carmel land; thence (1) along the Westerly boundary of said land S.00°33'37"W., 810.26 feet, thence (2) leaving said Westerly boundary N.70°32'47"E., 62.31 feet; thence (3) S.41°21'54"E., 31.57 feet; thence (4) N.48°19'38"E., 69.21 feet; thence (5) along a tangent curve to the right, having a radius of 292.00 feet, through a central angle of 17°55'24", an arc distance of 91.34 feet; thence (6) N.66°15'02"E., 496.85 feet to the Easterly boundary of said Marvin Del Carmel land; thence (7) along said Easterly boundary N.00°32'49"E., 647.35 feet to the Northerly boundary of said land; thence along said Northerly boundary the following numbered courses:

(8) S.75°56'59"E., 158.04 feet; thence (9) along a tangent curve to the right, having a radius of 2,000.00 feet, through a central angle of 04°35'30", an arc distance of 160.28 feet; thence (10) N.80°32'29"E., 355.53 feet to the point of beginning.

This conveyance is for the purposes of a State highway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights, appurtenant to Grantor's remaining property, in and to said State highway.

PARCEL 26182-2 Fee Simple

That portion of the East half of the Southwest Quarter of the Southeast Quarter of Section 19, Township 14 South, Range 3 West, San Bernardino Meridian, according to U. S. Government Survey approved May 20, 1884 as described in deed to Marvin Del Carmel, a general partnership, recorded May 26, 1983 as File/Page No. 83-175453 of Official Records of San Diego County, State of California, described as follows:

Commencing at the Northwestern corner of said Marvin Del Carmel land; thence (1) along the Westerly boundary of said land S.00°33'37"W., 810.26 feet, thence leaving said Westerly boundary N.70°32'47"E., 62.31 feet to the TRUE POINT of BEGINNING; thence (1) S.41°21'54"E., 31.57 feet; thence (2) from a tangent which bears S.41°59'18"E., along a curve to the left, having a radius of 1,451.00 feet, through a central angle of 16°02'39", an arc distance of 406.31 feet; thence (3) S.58°01'58"E., 114.31 feet to the Northerly boundary of the Southerly 30 feet of said East half of the Southwest Quarter of the Southeast Quarter as described in road easement deed to Frank and Anna Knechtel recorded May 25, 1964 as File/Page No. 93973 of Official Records of said County; thence (4) along said Northerly boundary N.89°05'28"W., 46.52 feet; thence (5) leaving said Northerly boundary N.58°01'58"W., 74.46 feet to a tangent curve to the right; thence (6) along said curve, having a radius of 1,475.00 feet, through a central angle of 17°39'14", an arc distance of 454.48 feet to the Southerly boundary of Parcel 1 hereinbefore described; thence (7) along said Southerly boundary N.70°32'47"E., 25.73 feet to the TRUE POINT OF BEGINNING.

PARCEL 26182-3 Slope Easement

An easement for slope purposes in and to that portion of the East half of the Southwest Quarter of the Southeast Quarter of Section 19, Township 14 South, Range 3 West, San Bernardino Meridian, according to U. S. Government Survey approved May 20, 1884 as described in deed to Marvin Del Carmel, a general partnership, recorded May 26, 1983 as File/Page No. 83-175453 of Official Records of San Diego County, State of California, described as follows:

Beginning at the Northwesterly corner of said Marvin Del Carmel land; thence along the Westerly boundary of said land S.00°33'37"W., 810.26 feet, to the TRUE POINT OF BEGINNING; thence (1) continuing along said Westerly boundary S.00°33'37"W., 173.76 feet; thence (2) leaving said Westerly boundary S.74°24'14"E., 11.92 feet; thence (3) N.20°47'50"E., 54.23 feet; thence (4) S.86°43'12"E., 18.67 feet; thence (5) N.67°06'54"E., 47.56 feet; thence (6) S.71°46'55"E., 75.50 feet; thence (7) S.51°17'38"E., 93.70 feet; thence (8) S.54°10'52"E., 101.11 feet; thence (9) S.49°45'47"E., 97.56 feet; thence (10) S.73°04'47"E., 32.68 feet to the Northerly boundary of the Southerly 30 feet of said East half of the Southwest Quarter of the Southeast Quarter as described in road easement deed to Frank and Anna Knechtel Recorded May 25, 1964 as File/Page No. 93973 of Official Records of said County; thence (11) along said Northerly boundary S.89°05'28"E., 16.31 feet to the Westerly boundary of Parcel 2 hereinbefore described; thence (12) along said Westerly boundary N.58°01'58"W., 74.46 feet to a tangent curve to the right; thence (6) along said curve, having a radius of 1,475.00 feet, through a central angle of 17°39'14", an arc distance of 454.48 feet to the Southerly boundary of Parcel 1 hereinbefore described; thence (7) along said Southerly boundary S.70°32'47"W., 36.58 feet to the TRUE POINT OFF BEGINNING.

PARCEL 26182-4 Slope Easement

An easement for slope purposes in and to that portion of the East half of the Southwest Quarter of the Southeast Quarter of Section 19, Township 14 South, Range 3 West, San Bernardino Meridian, according to U. S. Government Survey approved May 20, 1884 as described in deed to Marvin Del Carmel, a general partnership, recorded May 26, 1983 as File/Page No. 83-175453 of Official Records of San Diego County, State of California, described as follows:

Beginning at the Northwesterly corner of said Marvin Del Carmel land; thence along the westerly Boundary of said land S.00°33'37"W., 810.26 feet; thence leaving said Westerly boundary N.70°32'47"E., 62.31 feet to the Northeasterly corner of Parcel 2 hereinbefore described; thence along the Northeasterly boundary of said Parcel 2 S.41°21'54"E., 31.57 feet; thence continuing along said Northeasterly boundary, from a tangent which bears S.41°59'18"E., along a curve to the left, having a radius of 1,451.00 feet through a central angle of 01°11'06", an arc distance of 30.01 feet to the TRUE POINT OF BEGINNING, thence (1) N.48°19'38"E., 36.94 feet; thence (2) S.06°15'58"E., 47.00 feet; thence (3) S.69°46'01"E., 57.20 feet; thence (4) S.42°29'20"E., 84.74 feet; thence (5) S.45°27'11"E., 129.45 feet; thence (6) S.62°23'28"E., 64.80 feet; thence (7) S.55°26'56"E., 129.84 feet to the Northerly boundary of the Southerly 30 feet of said East half of the Southwest Quarter of the Southeast Quarter as described in road easement deed to Frank and Anna Knechtel Recorded May 25, 1964 as File/Page No. 93973 of Official Records of said County; thence (8) along said Northerly boundary N.89°05'28"W., 13.27

feet to the Northeasterly boundary of said Parcel 2 hereinbefore described; thence (9) along said Northeasterly boundary N.58°01'58"W., 114.31 feet; thence (10) continuing along said Northeasterly boundary, along a tangent curve to the right, having a radius of 1,451.00 feet, through a central angle of 14°51'34", an arc distance of 376.31 feet to the TRUE POINT OF BEGINNING.

PARCEL 26182-5 Fee Simple

That portion of the East half of the Southwest Quarter of the Southeast Quarter of Section 19, Township 14 South, Range 3 West, San Bernardino Meridian, according to U. S. Government Survey approved May 20, 1884 as described in deed to Marvin Del Carmel, a general partnership, recorded May 26, 1983 as File/Page No. 83-175453 of Official Records of San Diego County, State of California, described as follows:

Commencing at the Northwestern corner of said Marvin Del Carmel land; thence along the Westerly boundary of said land S.00°33'37"W., 810.26 feet, thence leaving said Westerly boundary N.70°32'47"E., 62.31 feet; thence S.41°21'54"E., 31.57 feet to the TRUE POINT OF BEGINNING; thence along the Southerly boundary of said Parcel 1 hereinbefore described the following courses; (1) N.48°19'38"E., 69.21 feet to a tangent curve to the right; thence (2) along said curve, having a radius of 292.00 feet, through a central angle of 17°55'24", an arc distance of 91.34 feet; thence (3) N.66°15'02"E., 496.85 feet to the Easterly boundary of said Marvin Del Carmel land; thence (4) along said Easterly boundary S.00°32'49"W., 55.50 feet; thence (5) leaving said Easterly boundary S.88°51'36"W., 53.53 feet; thence (6) S.66°15'02"W. 91.09 feet to a point hereinafter referred to as Point "A"; thence (7) continuing S.66°15'02"W., 333.51 feet to a tangent curve to the left; thence (8) along said curve, having a radius of 262.00 feet, through a central angle of 17°55'24", an arc distance of 81.96 feet; thence (9) S.48°19'38"W., 68.74 to the Northeasterly boundary of hereinbefore described Parcel 2; thence (10) along said Northeasterly boundary, along a curve to the right, having a radius of 1,451.00 feet from a tangent which bears N.43°10'24"W., through a central angle of 01°11'06", an arc distance of 30.01 feet to the TRUE POINT OF BEGINNING.

PARCEL 26182-6 Slope Easement

An easement for slope purposes in and to that portion of the East half of the Southwest Quarter of the Southeast Quarter of Section 19, Township 14 South, Range 3 West, San Bernardino Meridian, according to U. S. Government Survey approved May 20, 1884 as described in deed to Marvin Del Carmel, a general partnership, recorded May 26, 1983 as File/Page No. 83-175453 of Official Records of San Diego County, State of California, described as follows:

Beginning at Point "A" hereinbefore described in Parcel 5 above, thence (1) along the Southeasterly boundary of said Parcel 5, S.66°15'02"W., 333.51 feet; thence (2) continuing along said Southerly boundary, along a curve to the left, having a radius of 262.00 feet, through a central angle of 09°05'26", an arc distance of 41.57 feet; thence (3) leaving said Southerly boundary N.85°07'14"E., 44.99 feet; thence (4) N.78°08'49"E., 45.63 feet; thence (5) N.64°34'49"E., 61.65 feet; thence (6) N.51°12'11"E., 36.78 feet; thence (7) N.66°15'02"E., 78.31 feet; thence (8) N.49°07'14"E., 20.06 feet; thence (9) N.66°15'02"E., 34.34 feet; thence (10) S.68°51'36"E., 27.14 feet; thence (11) N.66°15'02"E., 39.49 feet; thence (12) N.23°44'58"W., 29.15 feet to the point of beginning.

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PARCEL 26182-7 Road Easement

That portion of the East half of the Southwest Quarter of the Southeast Quarter of Section 19, Township 14 South, Range 3 West, San Bernardino Meridian, according to U. S. Government Survey approved May 20, 1884 as described in deed to Marvin Del Carmel, a general partnership, recorded May 26, 1983 as File/Page No. 83-175453 of Official Records of San Diego County, State of California, described as follows:

Beginning at the Southwesterly corner of said Marvin Del Carmel land; thence (1) along the Southerly boundary thereof S.89°05'28"E., 539.66 feet; thence (2) N.58°01'58"W., 58.15 feet to the Southeasterly corner of Parcel 2 hereinbefore described; thence (3) along the Northerly boundary of the Southerly 30 feet of said East half of the Southwest Quarter of the Southeast Quarter as described in road easement deed to Frank and Anna Knechtel recorded May 25, 1964 as File/Page No. 93973 of Official Records of said County, N.89°05'28"W., 460.03 feet; thence (4) N.00°33'37"E., 23.08 feet; thence (5) N.46°11'19"W., 41.19 feet to the Westerly boundary of said Marvin Del Carmel land; thence (6) along said Westerly boundary S.00°33'37"W., 81.12 feet to the point of beginning.

PARCEL 26182-8 Slope Easement

An easement for slope purposes in and to that portion of the East half of the Southwest Quarter of the Southeast Quarter of Section 19, Township 14 South, Range 3 West, San Bernardino Meridian, according to U. S. Government Survey approved May 20, 1884 as described in deed to Marvin Del Carmel, a general partnership, recorded May 26, 1983 as File/Page No. 83-175453 of Official Records of San Diego County, State of California, described as follows:

Beginning at the Southwesterly corner of said Marvin Del Carmel land; thence along the Westerly boundary thereof N.00°33'37"E., 81.12 feet, thence S.46°11'19"E., 41.19 feet to the TRUE POINT OF BEGINNING; thence (1) S.46°11'19"E., 33.91 feet to the Northerly boundary of Parcel 7 hereinbefore described; thence (2) along said Northerly boundary N.89°05'28"W., 24.70 feet to the Easterly boundary of said Parcel 7 hereinbefore described; thence (3) along said Easterly boundary N.00°33'37"E., 23.08 feet to the TRUE POINT OF BEGINNING.

The bearings and distances used in the above descriptions are on the California Coordinate System of 1927, Zone 6. Multiply all distances used in the above descriptions by 1.0000325 to obtain ground level distances.

(Tang)

PARCEL 26183

Fee Simple

That portion of the Westerly 590.84 feet of that portion of the East half of the Southeast quarter of Section 19, Township 14 South, Range 3 West, San Bernardino Base and Meridian, in the County of San Diego, State of California, according to Official Plat thereof, lying Southerly of the center line of Road Survey No. 758 on file in the Office of the County Surveyor of said County, as described in deed to Alice C. Tang recorded April 21, 1980 as File/Page 80-134420 of Official Records of said County described as follows:

Beginning at the Northwesterly corner of said Tang land; thence (1) along the Westerly boundary of said Tang land S.00°32'49"W., 647.35 feet; thence (2) leaving said Westerly boundary N.66°15'02"E., 18.32 feet; thence (3) N.51°21'47"E., 494.88 feet to a tangent curve to the right; thence (4) along said curve having a radius of 1030.00 feet, through a central angle of 12°38'41", an arc distance of 227.31 feet to the Easterly boundary of said Tang land; thence (5) along said Easterly boundary N.00°32'49"E., 414.50 feet to said center line of Road Survey No. 758; thence (6) along said center line from a tangent which bears S.56°54'10"W., along a curve to the right having a radius of 1000.00 feet, through a central angle of 19°02'49", an arc distance of 332.43 feet; thence (7) continuing along said center line S.75°56'59"W., 298.46 feet to the point of beginning.

This conveyance is made for the purposes of a State highway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights, appurtenant to grantor's remaining property, in and to said State highway.

The bearings and distances used in the above description are on the California Coordinate System of 1927, Zone 6. Multiply all distances used in the above description by 1.0000325 to obtain ground level distances.

(Mc Isa)

PARCEL 26184-1

Fee Simple

That portion of Sections 19 and 20, Township 14 South, Range 3 West, San Bernardino Base and Meridian, according to U. S. Government Survey approved May 20, 1884, in the City of San Diego, County of San Diego, State of California, described as follows:

Beginning at the Northwest corner of land described in Parcel 3 of deed to McISA CV II JOINT VENTURE recorded December 28, 1988 as File No. 88-668104 of Official Records of said County; thence (1) along the Westerly boundary thereof S.00°32'49"W., 353.07 feet; thence (2) leaving said Westerly boundary N.62°53'17"E., 89.07 feet; thence (3) N.87°38'10"E., 41.90 feet; thence (4) N.59°22'37"E., 249.96 feet; thence (5) N.55°36'22"E., 800.43 feet; thence (6) N.59°04'19"E., 78.33 feet; thence (7) N.64°01'48"E., 218.66 feet; thence (8) N.58°56'17"E., 238.77 feet; thence (9) N.20°21'20"W., 2.34 feet; thence (10) from a tangent which bears N.11°46'32"E., along a curve to the right having a radius of 102.00 feet, through a central angle of 67°04'11", an arc distance of 119.40 feet; thence (11) N.78°50'43"E., 68.41 feet to a tangent curve to the left; thence (12) along said curve having a radius of 413.00 feet, through a central angle of 15°47'28", an arc distance of 113.83 feet; thence (13) N.63°03'15"E., 88.92 feet to a tangent curve to the right; thence (14) along said curve having a radius of 97.00 feet, through a central angle of 83°28'14", an arc distance of 141.31 feet; thence (15) N.69°49'02"E., 453.36 feet; thence (16) N.62°40'08"E., 241.55 feet; thence (17) N.57°30'18"E., 141.15 feet to the Westerly boundary of that land described in a quitclaim to the Carmel Valley Evangelical Presbyterian Church in a deed dated January 27, 1986 as file No. 86-034164 of Official Records of said County; thence (18) along said Westerly boundary of said church land N.47°02'34"W., 25.87 feet to the Northwesterly corner of said church land; thence (19) along the Northerly boundary of said church land N.42°57'10"E., 192.75 feet (192.40 feet per said deed); thence (20) continuing along said Northerly boundary N.69°41'28"E., 483.97 feet to the Easterly boundary of said church land and the Westerly boundary of Parcel D as described in a deed to the City of San Diego recorded October 8, 1986 as File No. 86-452674 of Official Records of said County; thence (21) N.69°41'28"E., 49.01 feet to the Easterly boundary of said Parcel D; thence (22) along said Easterly boundary from a tangent which bears N.21°34'11"W., along a curve to the left having a radius of 1000.00 feet, through a central angle of 18°14'21", an arc distance of 318.34 feet; thence (23) continuing along said Easterly boundary N.39°48'32"W., 165.76 feet to an intersection with the centerline of Carmel Valley Road as shown on road Survey No. 758 on file in the Office of the County Engineer of said San Diego County; thence along said centerline the following numbered courses; (24) S.50°11'59"W., 460.12 feet to a tangent curve to the right; thence (25) along said curve, having a radius of 1500.00 feet, through a central angle of 20°57'30", an arc distance of 548.69 feet; thence (26) S.71°09'29"W., 1042.11 feet to a tangent curve to the left; thence (27) along said curve having a radius of 1000.00 feet, through a central angle of 09°17'00", an arc distance of 162.02 feet; thence (28) S.61°52'29"W., 451.16 feet to a tangent curve to the left; thence (29) along said curve having a radius of 1000.00 feet, through a central angle of 17°49'00", an arc distance of 310.96 feet; thence (30) S.44°03'29"W., 347.07 feet to a tangent curve to the right; thence (31) along said curve having a radius of 1000.00 feet, through a central angle of 12°50'41", an arc distance of 224.18 feet to the POINT OF BEGINNING.

This conveyance is made for the purposes of a State highway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights, appurtenant to grantor's remaining property, in and to said State highway, over and across courses (9) through (14), inclusive, hereinabove described.

The bearings and distances used in the above description are on the California Coordinate System of 1927, Zone 6. Multiply all distances used in the above description by 1.0000325 to obtain ground level distances.

PARCEL 26184-2

Fee Simple

That portion of Sections 19 and 20, Township 14 South, Range 3 West, San Bernardino Base and Meridian, according to U.S. Government Survey approved May 20, 1884, in the City of San Diego, County of San Diego, State of California, described as follows:

Commencing at the Northwest corner of land described in Parcel 3 of deed to McISA CV II JOINT VENTURE recorded December 28, 1988 as File No. 88-668104 of Official Records of said County; thence (1) along the Westerly boundary thereof S.00°32'49"W., 353.07 to the TRUE POINT OF BEGINNING; thence (2) continuing along said boundary S.00°32'49"W., 61.43 feet; thence (3) from a tangent which bears N.64°00'28"E., along a curve to the right having a radius of 1030.00 feet, through a central angle of 2°15'27", an arc distance of 40.58 feet; thence (4) S.80°05'47"E., 117.18 feet; thence (5) N.71°48'47"E., 366.20 feet to a tangent curve to the left; thence (6) along said curve having a radius of 1030.00 feet, through a central angle of 15°50'00", an arc distance of 284.63 feet; thence (7) N.55°58'47"E., 845.75 feet; thence (8) N.05°40'13"E., 69.54 feet; thence (9) from a tangent which bears N.64°12'27"E., along a curve to the right having a radius of 630.00 feet, through a central angle of 5°26'13", an arc distance of 59.78 feet; thence (10) N.20°21'20"W., 149.94 feet to the Southerly boundary of Parcel 1 herein before described, thence along said Southerly boundary the following numbered courses; (11) S.58°56'17"W., 238.77 feet; thence (12) S.64°01'48"W., 218.66 feet; thence (13) S.59°04'19"W., 78.33 feet; thence (14) S.55°36'22"W., 800.43 feet; thence (15) S.59°22'37"W., 249.96 feet; thence (16) S.87°38'10"W., 41.90 feet; thence (17) S.62°53'17"W., 89.07 feet to the TRUE POINT OF BEGINNING.

This conveyance is made for the purposes of a State highway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights, appurtenant to grantor's remaining property, in and to said State highway, over and across courses (3) through (10), inclusive, hereinabove described.

The bearings and distances used in the above description are on the California Coordinate System of 1927, Zone 6. Multiply all distances used in the above description by 1.0000325 to obtain ground level distances.

PARCEL 26814-3, 26647-1

Fee Simple

That portion of Section 20, Township 14 South, Range 3 West, San Bernardino Base and Meridian, according to U. S. Government Survey approved May 20, 1884, in the City of San Diego, County of San Diego, State of California, described as follows:

Commencing at the Northwesterly corner of that land described in a quitclaim to the Carmel Valley Evangelical Presbyterian Church in a deed dated January 27, 1986 as File NO. 86-034164 of Official Records of said County; thence S.47°02'35"E., 25.87 feet to the TRUE POINT OF BEGINNING; thence along the Southerly boundary of Parcel 1 herein before described the following numbered courses (1) S.57°30'18"W., 141.15 feet; thence (2) S.62°40'08"W., 241.55 feet; thence (3) S.69°49'02"W., 453.36 feet; thence (4) leaving said Southerly boundary from a tangent which bears S.33°28'31"E., along a curve to the right having a radius of 97.00 feet, through a central angle of 8°11'58", an arc distance of 13.88 feet; thence (5) S.25°16'33"E., 257.35 feet; thence (6) S.87°06'13"E., 303.79 feet to a tangent curve to the left; thence (7) along said curve having a radius of 760.00 feet, through a central angle of 18°07'44", an arc distance of 240.47 feet; to a tangent curve to the right; thence (8) along said curve having a radius of 582.00 feet, through a central angle of 31°44'54", an arc distance of 322.49 feet; thence (9) S.73°29'03"E., 147.23 feet to a tangent curve to the left; thence (10) along said curve having a radius of 168.00 feet, through a central angle of 52°11'21", an arc distance of 153.03 feet; thence (11) N.54°19'36"E., 77.35 feet to a tangent curve to the right; thence (12) along said curve having a radius of 107.50 feet, through a central angle of 35°36'04", an arc distance of 66.80 feet; thence (13) N.89°55'40"E., 4.28 feet to a point which bears S.00°04'20"E., 227.52 feet from the Southwesterly corner of Parcel D as described in deed to the City of San Diego recorded October 8, 1986, as File No. 86-452674 of Official Records of said County; thence (14) N.00°04'20"W., 227.52 feet to said Southwesterly corner being also the Southeasterly corner of said land quitclaimed to Carmel Valley Evangelical Presbyterian Church; thence along said church boundary the following numbered courses: (15) S.72°13'00"W., 162.56 feet; thence (16) from a tangent which bears N.57°24'34"W., along a curve to the left having a radius of 205.00 feet, through a central angle of 26°22'14", an arc distance of 94.35 feet to a tangent curve to the right; thence (17) along said curve having a radius of 145.80 feet, through a central angle of 36°44'14", an arc distance of 93.49 feet; thence (18) along the Westerly boundary of said church land N.47°02'34"W., 443.99 feet (N.47°03'09"E., per said deed) to the TRUE POINT OF BEGINNING.

This conveyance is made for the purposes of a State highway and the grantor hereby releases and relinquishes to the grantees any and all abutter's rights, including access rights, appurtenant to grantor's remaining property, in and to said State highway, over and across courses (4) through (13), inclusive, hereinabove described.

The bearings and distances used in the above description are on the California Coordinate System of 1927, Zone 6. Multiply all distances used in the above description by 1.0000325 to obtain ground level distances.

PARCEL 26647-2 Fee Simple

That portion of Section 20, Township 14 South, Range 3 West, San Bernardino Base and Meridian, according to U.S. Government Survey approved May 20, 1884, in the City of San Diego, County of San Diego, State of California, described as follows:

Beginning at the Southwesterly corner of Parcel D as described in deed to the City of San Diego recorded October 8, 1986 as File No. 86-452674 of Official Records of said County; thence (1) along the Southwesterly prolongation of the Westerly boundary of said Parcel D, S.00°04'20"E., 227.52 feet; thence (2) N.89°55'40"E., 98.00 feet; thence (3) N.00°04'20"W., 227.52 feet to the Southeasterly corner of Parcel E as described in said deed to the City of San Diego; thence (4) along the Southerly line of said Parcels D and E, S.89°55'40"W., 98.00 feet to the point of beginning.

(C.V. Evangelical Presbyterian Church)
PARCEL 26186 Fee Simple

That portion of the Northwest Quarter and the Southwest Quarter of Section 20, Township 14 South, Range 3 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California, said portions being more particularly described as follows:

Commencing at the Southwest corner of the Northwest quarter of the Southeast quarter of said Section 20; thence S.88°12'57"E., along the Southerly line of said Northwest quarter of the Southeast quarter, 405.15 feet; thence N.46°32'56"W., 243.10 feet to the beginning of a 1049.00 foot radius curve concave to the Northeast; thence Northwesterly along said curve 850.92 feet through a central angle of 46°28'36" to the TRUE POINT OF BEGINNING; thence N.00°04'20"W., 282.86 feet to the beginning of a 951.00 foot radius curve concave to the Southwest; thence Northwesterly along said curve 357.89 feet through a central angle of 21°33'44"; thence leaving said curve S.69°41'28"W., 483.97 feet; thence S.42°57'10"W., 192.40 feet to a point on the Westerly line of that 40.00 foot wide easement for road purposes granted to the County of San Diego as described in Document recorded March 16, 1932 as File No. 12107, in Book 104, Page 87 of Official Records; thence S.47°03'09"E., along said Westerly line 456.96 feet to the beginning of a 145.80 foot radius curve concave to the Northeast; thence Southeasterly along said curve 91.82 feet through a central angle of 36°04'58" to a point of reverse curvature with a 205.00 foot radius curve concave to the Southwest; thence Southeast along said curve, 94.35 feet through a central angle of 26°22'14"; thence N.68°37'30"E., 159.02 feet to the TRUE POINT OF BEGINNING.

06/19/91

(A-440 Enterprises, Inc.)

PARCEL 26191

Fee Simple

PARCEL 1:

All that portion of the Southeast Quarter of the Northwest Quarter of Section 20, Township 14 South, Range 3 West, San Bernardino Meridian, in the County of San Diego, State of California, described as follows:

Beginning at a point whence the center of said Section 20 bears South 45° East, 850 feet; thence South 78°30' West 209 feet; thence North 11°30' West, 209 feet; thence North 78°30' East, 209 feet; thence South 11°30' East, 209 feet to the Point of Beginning.

EXCEPTING THEREFROM that portion included within the boundary of Parcel 2 hereinafter described.

PARCEL 2:

That portion of the Southeast Quarter of the Northwest Quarter of Section 20, Township 14 South, Range 3 West, San Bernardino Base and Meridian, in the County of San Diego, State of California, described as follows:

Commencing at a 2 inch capped pipe marking the West Quarter Section corner of said Section 20, as shown on Plat of County Road Survey No. 758 on file in the Office of the County Surveyor of San Diego County; thence along the South line of the Northwest Quarter of said Section, South 89°35' East, 2671.11 feet to a 2 inch capped pipe, 2 feet deep, marking the center of said Section 20; thence North 52°38'30" West, 783.72 feet to the TRUE POINT OF BEGINNING; thence South 79°19'30" West, 209.0 feet; thence North 10°40'30" West, 209.0 feet; thence North 79°19'30" East, 209.0 feet; thence South 10°40'30" East, 209.0 feet to the TRUE POINT OF BEGINNING.

Section 5. That the taking and acquiring by said City of the fee title and slope and road easement interests hereinabove described is deemed necessary for the construction, operation and maintenance of the State Route 56/Carmel Valley Restoration and Enhancement Plan (CVREP) Project, including any and all incidents thereto, in said property, by The City of San Diego and the inhabitants thereof, for municipal purposes; that such uses are public uses authorized by law (inter alia, Section 220 of the Charter of The City of San Diego; Sections 1240.010, 1240.110, 1240.120, 1240.610 and 1255.410 of the Code of Civil Procedure; Sections 37350.5, 38900 and 40404 of the Government Code; and Sections 102, 130, 4090 and 5101 of the Streets and Highways Code); that for such public uses it is necessary that The City of San Diego condemn and acquire the subject property; that said subject property is to be used for the construction, operation and maintenance of State Route 56/Carmel Valley Restoration Enhancement Plan (CVREP) Project, which is planned and located in a manner most compatible with the greatest public good and the least private injury.

Section 6. The City Council hereby makes the following findings in support of the foregoing: That the proposed project for which this acquisition is being sought is State Route 56/Carmel Valley Restoration and Enhancement Plan (CVREP) Project, which will (a) provide 100-year flood protection for Carmel Valley west of Carmel Country Road; (b) reduce sediment transport to Los Penasquitos Lagoon; (c) create an enhanced riparian floodway/wildlife habitat area; and (d) provide a vital

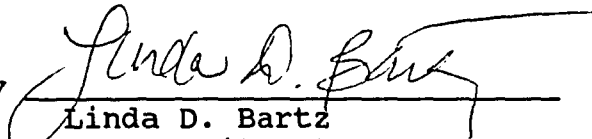
link in the regional transportation network and reduction of traffic congestion.

Section 7. That an offer to acquire the property at the appraised fair market value has been made to the owners of record of the subject property and thereafter rejected by operation of law.

Section 8. That the City Attorney of The City of San Diego be, and he is hereby 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 any interest in the above-described real property, for the purpose of condemning and acquiring fee simple absolute title to and slope and road easements in the property as hereinabove-described, and obtaining immediate possession of said parcels for the use of the City of San Diego.

APPROVED: John W. Witt, City Attorney

By


Linda D. Bartz
Deputy City Attorney

LDB:sdv:djr:Lit.
12/4/91
Rev.1 1/2/92
Or.Dept:Prop.
R-92-902
Form:r.stimprov

R-279179

3504

Passed and adopted by the Council of The City of San Diego on **DEC 10 1991**
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"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

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

By *Maureen O'Connor*, Deputy.

Office of the City Clerk, San Diego, California

Resolution **R-279179** **DEC 10 1991**
 Number..... Adopted.....