

RESOLUTION NUMBER R- 287002

ADOPTED ON MAR 05 1996

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 THE FIESTA ISLAND REPLACEMENT PROJECT-- PHASE II, A GENERAL UTILITY EASEMENT PIPELINE, AND ALL INCIDENTS AND APPURTENANCES THERETO TO PROVIDE A PIPELINE THAT WILL CONTAIN UTILITY SERVICE LINES AND THAT WILL CARRY DIGESTED SLUDGE FROM THE POINT LOMA WASTEWATER TREATMENT PLANT TO THE PROPOSED SLUDGE PROCESSING FACILITY AT NAS MIRAMAR; THAT SAID PUBLIC PIPELINE WILL NECESSARILY REQUIRE THE ACQUISITION OF PERMANENT GENERAL UTILITY EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS OVER, UNDER, UPON, ALONG AND ACROSS PORTIONS OF REAL PROPERTY LOCATED IN THE NORTHERN PORTION OF THE KEARNY MESA COMMUNITY OF THE CITY OF SAN DIEGO, AT THE SOUTHEAST CORNER OF I-805 AND STATE ROUTE 52, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, ALL IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, AND THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY DEMAND THE ACQUISITIONS; 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 DECLARING THAT AN OFFER TO PURCHASE THE PROPERTY, PURSUANT TO GOVERNMENT CODE SECTION 7267.2, AT THE APPRAISED FAIR MARKET VALUE HAS BEEN MADE TO THE OWNERS OF RECORD OF THE PROPERTY; AND DECLARING THE INTENTION OF THE CITY OF SAN DIEGO TO ACQUIRE SAID EASEMENTS UNDER EMINENT DOMAIN PROCEEDINGS; AND DIRECTING THE CITY ATTORNEY OF 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 SAID EASEMENTS AND ACQUIRING IMMEDIATE POSSESSION THEREOF.

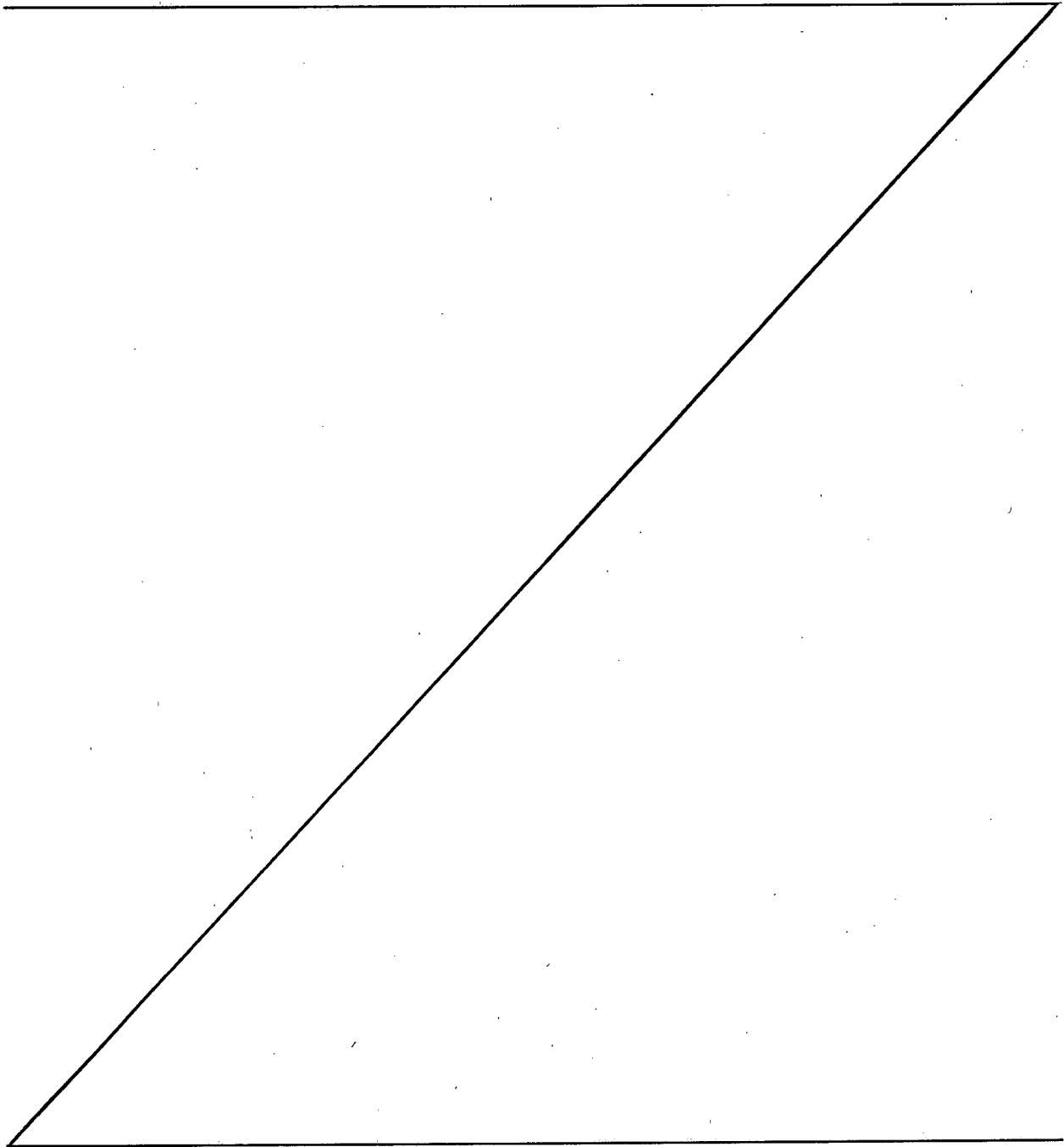
WHEREAS, the Council of the City of San Diego has provided notice to those persons designated in Section 1245.235, Code of Civil Procedure, and also has provided all persons a reasonable opportunity to appear and be heard on the matters referred to in Section 1240.030, Code of Civil Procedure; NOW, THEREFORE,

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 the Fiesta Island Replacement Project--Phase II, a general utility easement pipeline, and all incidents and appurtenances thereto, to provide a public pipeline that will contain utility service lines and that will carry digested sludge from the Point Loma Wastewater Treatment Plant to the proposed sludge processing facility at NAS Miramar over portions of property located in the northern portion of the Kearny Mesa community of the City of San Diego, at the southeast corner of I-805 and State Route 52, as more particularly described hereinafter, all in the City of San Diego, County of San Diego, State of California.

Section 2. That the public interest, convenience and necessity of said City, and the inhabitants thereof, demand the acquisition and taking of permanent general utility easements, and temporary construction easements in said property for the construction, operation and maintenance of a public pipeline project and all incidents and appurtenances thereto, together with the right of ingress and egress over, under, upon, along and across portions of said real property lying within the City of San Diego, County of San Diego, State of California.

Section 3. That Section 220, Charter of the City of San Diego; Sections 1240.010, 1240.110, 1240.120 and 1255.410, Code of Civil Procedure; and Sections 37350.5, 38900, 39040 and 40404, Government 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:



GENERAL UTILITY EASEMENT

PARCEL "A"

THAT PORTION OF LOT 78 OF THE RANCHO MISSION OF SAN DIEGO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE PARTITION MAP MADE IN AN ACTION ENTITLED "JUAN M. LUCO, ET AL VS: THE COMMERCIAL BANK OF SAN DIEGO, ET AL" FILED IN THE OFFICE OF THE COUNTY CLERK OF SAID SAN DIEGO COUNTY LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 15 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, AS SAID SECTION WAS ESTABLISHED BY DECREE OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF SAN DIEGO IN CASE N^o 162892, A CERTIFIED COPY OF SAID DECREE HAVING BEEN FILED IN THE OFFICE OF THE RECORDER OF SAN DIEGO COUNTY IN BOOK 4114, PAGE 305 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 27, ALSO BEING THE NORTHWEST CORNER OF THE LAND CONVEYED TO INVESTOR'S 25, INC. BY DEED RECORDED MAY 16, 1958 IN BOOK 7083, PAGE 176 OF OFFICIAL RECORDS; THENCE ALONG THE BOUNDARY OF SAID INVESTOR'S 25, INC. LAND, SOUTH 0°00'05" WEST, 801.69 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE EASTERLY IN A STRAIGHT LINE AND ALONG THE SOUTHERLY LINE OF SAID LAND, 600.00 FEET MORE OR LESS, TO AN INTERSECTION WITH THE NORTHERLY PROLONGATION OF THE EASTERLY LINE OF

THE LAND CONVEYED TO CHARLES H. SMITH BY DEED RECORDED MAY 25, 1951 IN BOOK 4113, PAGE 132 OF OFFICIAL RECORDS; THENCE SOUTHERLY ALONG SAID PROLONGATION TO AND ALONG SAID EASTERLY LINE TO AN INTERSECTION WITH THE NORTHEASTERLY BOUNDARY OF THE LAND DESCRIBED AS PARCEL 6B IN THAT CERTAIN FINAL ORDER OF CONDEMNATION RECORDED FEBRUARY 17, 1970 AS FILE N° 029521 OF OFFICIAL RECORDS; THENCE ALONG SAID BOUNDARY, NORTH 56°16'44" WEST (RECORD NORTH 56°15'00" WEST PER DOC. #1991-0495910 RECORDED 9-26-91) 266.29 FEET TO THE TRUE POINT OF BEGINNING; THENCE RETRACING ALONG SAID BOUNDARY SOUTH 56°16'44" EAST, 39.47 FEET; THENCE LEAVING SAID BOUNDARY NORTH 74°14'36" EAST 197.57 FEET TO SAID EASTERLY LINE OF THE LAND CONVEYED TO CHARLES H. SMITH BY DEED RECORDED MAY 25, 1951 IN BOOK 4113, PAGE 132 OF OFFICIAL RECORDS; THENCE ALONG SAID EASTERLY LINE OF THE SMITH LAND (BEING ALSO THE WESTERLY LINE OF HICKMAN FIELD DRIVE DEDICATED PER CITY COUNCIL RESOLUTION N° 276235 RECORDED AS F/P 90-457144 O.R.) NORTH 00°28'35" EAST 31.25 FEET (NORTH 0°30'11" EAST ROS 13721); THENCE LEAVING SAID EASTERLY LINE OF THE SMITH LAND, SOUTH 74°14'36" WEST 231.95 FEET TO THE TRUE POINT OF BEGINNING.

6443 SQUARE FEET
W.O. 195555
DWG. N° 18231-B



G. A. Lintvedt 11-17-94

GARY A. LINTVEDT
L.S. 4593

LICENSE EXPIRES 9-30-98

R- 287002

TEMPORARY CONSTRUCTION AREA

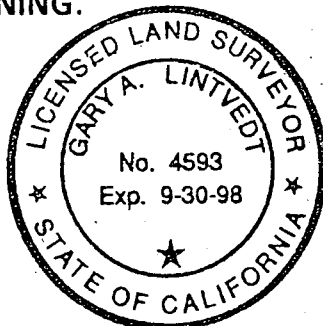
PARCEL "B"

THAT PORTION OF LOT 78 OF THE RANCHO MISSION OF SAN DIEGO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE PARTITION MAP MADE IN AN ACTION ENTITLED "JUAN M. LUCO, ET AL VS: THE COMMERCIAL BANK OF SAN DIEGO, ET AL" FILED IN THE OFFICE OF THE COUNTY CLERK OF SAID SAN DIEGO COUNTY LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 15 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, AS SAID SECTION WAS ESTABLISHED BY DECREE OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF SAN DIEGO IN CASE N° 162892, A CERTIFIED COPY OF SAID DECREE HAVING BEEN FILED IN THE OFFICE OF THE RECORDER OF SAN DIEGO COUNTY IN BOOK 4114, PAGE 305 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

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THE LAND CONVEYED TO CHARLES H. SMITH BY DEED RECORDED MAY 25, 1951 IN BOOK 4113, PAGE 132 OF OFFICIAL RECORDS; THENCE SOUTHERLY ALONG SAID PROLONGATION TO AND ALONG SAID EASTERLY LINE TO AN INTERSECTION WITH THE NORTHEASTERLY BOUNDARY OF THE LAND DESCRIBED AS PARCEL 6B IN THAT CERTAIN FINAL ORDER OF CONDEMNATION RECORDED FEBRUARY 17, 1970 AS FILE N° 029521 OF OFFICIAL RECORDS; THENCE ALONG SAID BOUNDARY, NORTH 56°16'44" WEST (RECORD NORTH 56°15'00" WEST PER DOC. #1991-0495910 RECORDED 9-26-91) 266.29 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID BOUNDARY NORTH 56°16'44" WEST 26.31 2 FEET; THENCE LEAVING SAID BOUNDARY NORTH 74°14'36" EAST 254.87 FEET TO SAID EASTERLY LINE OF THE LAND CONVEYED TO CHARLES H. SMITH BY DEED RECORDED MAY 25, 1951 IN BOOK 4113, PAGE 132 OF OFFICIAL RECORDS; THENCE ALONG SAID EASTERLY LINE OF SMITH LAND, BEING ALSO THE WESTERLY LINE OF HICKMAN FIELD DRIVE (DEDICATED PER CITY COUNCIL RESOLUTION N° 276235 RECORDED AS F/P 90-457144 O.R.) SOUTH 00°28'35" WEST 20.83 FEET (SOUTH 00°30'11" WEST ROS 13721); THENCE LEAVING SAID EASTERLY LINE OF THE SMITH LAND, SOUTH 74°14'36" WEST 231.95 FEET TO THE TRUE POINT OF BEGINNING.

4,868 SQUARE FEET
W.O. 195555
DWG. N° 18231-B



G. A. Lintvedt 11-7-94

GARY A. LINTVEDT

L.S. 4593

LICENSE EXPIRES 9-30-98

R-287002

GENERAL UTILITY EASEMENT

PARCEL "D"

THAT PORTION OF PARCEL 6 OF PARCEL MAP NO. 16873 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 11, 1992, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF PARCEL 6 OF SAID PARCEL MAP NO. 16873, BEING ALSO A POINT ON THE NORTHERLY LINE OF COPLEY DRIVE AS DEDICATED PER MAP NO. 12675; THENCE ALONG SAID NORTHERLY LINE OF COPLEY DRIVE SOUTH 74°04'11" EAST (RECORD SOUTH 74° 03'57" EAST PER PARCEL MAP NO. 16873) 100.80 FEET; THENCE LEAVING SAID NORTHERLY LINE OF COPLEY DRIVE, NORTH 15°38'02" EAST 71.81 FEET; THENCE NORTH 03°50'12" EAST 14.84 FEET TO THE BEGINNING OF A TANGENT 630.00 FOOT RADIUS CURVE, CONCAVE EASTERLY; THENCE NORTHERLY ALONG SAID CURVE A DISTANCE OF 134.30 FEET THROUGH A CENTRAL ANGLE OF 12°12'52"; THENCE NORTH 16°03'04" EAST 110.67 FEET TO THE BEGINNING OF A TANGENT 330.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE NORTHEASTERLY ALONG SAID CURVE A DISTANCE OF 41.25 FEET THROUGH A CENTRAL ANGLE OF 07°09'43" TO THE SOUTHEASTERLY LINE OF SAID PARCEL 6, AND THE TRUE POINT OF BEGINNING, A RADIAL LINE TO SAID POINT BEARS NORTH 66°47'13" WEST; THENCE CONTINUING ALONG SAID 330.00 FEET RADIUS CURVE A DISTANCE OF 112.40 FEET THROUGH A CENTRAL ANGLE OF 19°30'57"; THENCE NORTH 42°43'44" EAST 210.38 FEET; THENCE NORTH 04°07'51" WEST 40.78 FEET TO THE NORTHEASTERLY LINE OF SAID PARCEL 6; THENCE ALONG SAID NORTHEASTERLY LINE SOUTH 47°21'36" EAST (RECORD SOUTH 47°20'57" EAST PER PARCEL MAP NO.16873) 48.19 FEET TO THE MOST EASTERLY

COSTCO
(Parcel D cont'd)

Page 2 of 2

CORNER OF SAID PARCEL 6; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID
PARCEL 6 SOUTH 42°38'31" WEST (RECORD SOUTH 42°39'03" WEST PER PARCEL
MAP NO. 16873) 348.58 FEET TO THE TRUE POINT OF BEGINNING.



6,243 SQUARE FEET

W.O. NO. 195555

DWG. NO. 18230-B

G. A. Lintvedt 12-14-95

GARY A. LINTVEDT

L.S. 4593

LICENSE EXPIRES 9-30-98

11644-1

TEMPORARY CONSTRUCTION AREA

PARCEL "A"

THAT PORTION OF PARCEL 6 OF PARCEL MAP NO. 16873 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 11, 1992, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

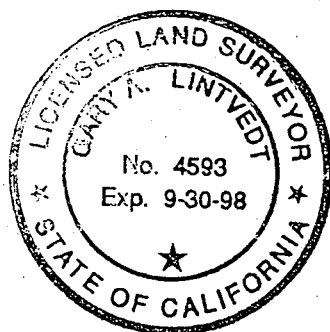
BEGINNING AT THE SOUTHEAST CORNER OF PARCEL 6 OF SAID PARCEL MAP NO. 16873, BEING ALSO A POINT ON THE NORTHERLY LINE OF COPLEY DRIVE AS DEDICATED PER MAP NO. 12675; THENCE ALONG SAID NORTHERLY LINE OF COPLEY DRIVE SOUTH 74°04'11" EAST (RECORD SOUTH 74° 03'57" EAST PER PARCEL MAP NO. 16873) 100.80 FEET; THENCE LEAVING SAID NORTHERLY LINE OF COPLEY DRIVE, NORTH 15°38'02" EAST 71.81 FEET; THENCE NORTH 03°50'12" EAST 14.84 FEET TO THE BEGINNING OF A TANGENT 630.00 FOOT RADIUS CURVE, CONCAVE EASTERLY; THENCE NORTHERLY ALONG SAID CURVE A DISTANCE OF 134.30 FEET THROUGH A CENTRAL ANGLE OF 12°12'52"; THENCE NORTH 16°03'04" EAST 110.67 FEET TO THE BEGINNING OF A TANGENT 330.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE NORTHEASTERLY ALONG SAID CURVE A DISTANCE OF 41.25 FEET THROUGH A CENTRAL ANGLE OF 07°09'43" TO THE SOUTHEASTERLY LINE OF SAID PARCEL 6, AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID 330.00 FEET RADIUS CURVE A DISTANCE OF 112.40 FEET THROUGH A CENTRAL ANGLE OF 19°30'57"; THENCE, NORTH 42°43'44" EAST 210.38 FEET; THENCE NORTH 04°07'51" WEST 40.78 FEET TO THE NORTHEASTERLY LINE OF SAID PARCEL 6; THENCE ALONG SAID NORTHEASTERLY LINE NORTH 47°21'36" WEST (RECORD NORTH 47°20'57" WEST PER PARCEL MAP NO. 16873) 21.90 FEET; THENCE LEAVING SAID NORTHEASTERLY LINE OF PARCEL 6, SOUTH 04°07'51" EAST

COSTCO
(Parcel A cont'd)

Page 2 of 2

50.24 FEET; THENCE SOUTH 42°43'44" WEST 203.88 FEET TO THE BEGINNING OF A TANGENT 345.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY ALONG SAID CURVE A DISTANCE OF 154.50 FEET THROUGH A CENTRAL ANGLE OF 25°39'28" TO THE SOUTHEASTERLY LINE OF SAID PARCEL 6; THENCE ALONG SAID SOUTHEASTERLY LINE NORTH 42°38'31" EAST (RECORD NORTH 42°39'03" EAST PER PARCEL MAP NO. 16873) 39.14 FEET TO THE TRUE POINT OF BEGINNING.

5803 SQUARE FEET
W.O. NO. 195555
DWG. NO. 18230-B



G. Lintvedt 12-14-95

GARY A. LINTVEDT

L.S. 4593

LICENSE EXPIRES 9-30-98

11644-1

GENERAL UTILITY EASEMENT

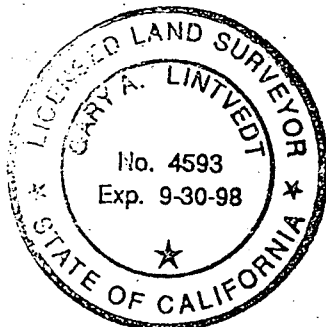
PARCEL "F"

THAT PORTION OF UNIT NO. U-3 AS SHOWN ON THAT CERTAIN DIAGRAMMATIC PLAN RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA, ON SEPTEMBER 26, 1995, AS DOCUMENT NO. 1995-042702, BEING A PORTION OF PARCEL 7 OF PARCEL MAP NO. 16873 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 11, 1992, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF PARCEL 7 OF SAID PARCEL MAP NO. 16873, BEING ALSO A POINT ON THE NORTHERLY LINE OF COPLEY DRIVE AS DEDICATED PER MAP NO. 12675; THENCE ALONG SAID NORTHERLY LINE OF COPLEY DRIVE SOUTH 74°04'11" EAST (RECORD SOUTH 74°03'57" EAST PER PARCEL MAP NO.16873) 150.80 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID NORTHERLY LINE OF COPLEY DRIVE, NORTH 15°38'02" EAST 77.23 FEET; THENCE NORTH 03°50'12" EAST 20.01 FEET TO THE BEGINNING OF A TANGENT 580.00 FOOT RADIUS CURVE, CONCAVE EASTERLY; THENCE NORTHERLY ALONG SAID CURVE A DISTANCE OF 123.65 FEET THROUGH A CENTRAL ANGLE OF 12°12'52"; THENCE NORTH 16°03'04" EAST 110.67 FEET TO THE BEGINNING OF A TANGENT 280.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE NORTHEASTERLY ALONG SAID CURVE A DISTANCE OF 130.37 FEET THROUGH A CENTRAL ANGLE OF 26°40'40"; THENCE NORTH 42°43'44" EAST 232.05 FEET; THENCE NORTH 04°07'51" WEST 9.26 FEET TO THE NORTHEASTERLY LINE OF SAID UNIT NO. U-3 AND SAID PARCEL 7; THENCE ALONG SAID NORTHEASTERLY LINE NORTH 47°21'36" WEST (RECORD NORTH 47°20'57" WEST PER PARCEL MAP NO. 16873) 24.82 FEET; THENCE SOUTHWESTERLY

ALONG THE NORTHWESTERLY LINE OF SAID UNIT NO. U-3 AND SAID PARCEL 7, SOUTH 42°38'31" WEST (RECORD NORTH 42°39'03" EAST PER PARCEL MAP NO. 16873) 219.70 FEET TO THE MOST NORTHERLY CORNER OF UNIT NO. U-4 AS SHOWN ON THAT CERTAIN DIAGRAMMATIC PLAN DESCRIBED ABOVE, SAID POINT BEING IN A TANGENT 320.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY ALONG SAID CURVE AND THE EASTERLY LINE OF SAID UNIT NO. U-4, A DISTANCE OF 160.13 FEET THROUGH A CENTRAL ANGLE OF 28°40'18" (RECORD 160.16 FEET AND 28°40'36" PER DOCUMENT NO. 1995-042702); THENCE TANGENT TO SAID CURVE, SOUTH 13°58'13" WEST 161.28 FEET (RECORD SOUTH 13°58'27" WEST 161.15 FEET PER DOCUMENT NO. 1995-042702) TO THE BEGINNING OF A TANGENT 372.00 FOOT RADIUS CURVE, CONCAVE EASTERLY; THENCE SOUTHERLY ALONG SAID CURVE A DISTANCE OF 70.63 FEET THROUGH A CENTRAL ANGLE OF 10°52'43" TO A POINT OF REVERSE CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 228.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE A DISTANCE OF 51.09 FEET THROUGH A CENTRAL ANGLE OF 12°50'19"; THENCE TANGENT TO SAID CURVE SOUTH 15°55'49" WEST (RECORD SOUTH 15°56'03" WEST PER DOCUMENT NO. 1995-042702) 50.00 FEET TO THE SOUTHEAST CORNER OF SAID UNIT NO. U-4, BEING ALSO A POINT IN THE NORTHERLY LINE OF COPLEY DRIVE; THENCE SOUTHEASTERLY ALONG SAID NORTHERLY LINE OF COPLEY DRIVE SOUTH 74°04'11" EAST (RECORD SOUTH 74°03'57" EAST PER PARCEL MAP NO. 16873) 20.30 FEET TO THE TRUE POINT OF BEGINNING.

17,894 SQUARE FEET
W.O. NO. 195555
DWG. NO. 18230-B



G. A. Lintvedt 12-14-95

GARY A. LINTVEDT
L.S. 4593

LICENSE EXPIRES 9-30-98
11644-1

R. 287002

TEMPORARY CONSTRUCTION AREA

PARCEL "C"

THAT PORTION OF UNIT NO. U-3 AS SHOWN ON THAT CERTAIN DIAGRAMMATIC PLAN RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA, ON SEPTEMBER 26, 1995, AS DOCUMENT NO. 1995-042702, BEING A PORTION OF PARCEL 7 OF PARCEL MAP NO. 16873 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 11, 1992, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SOUTH 42°43'44" WEST 238.41 FEET TO THE BEGINNING OF A TANGENT 265.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY ALONG SAID CURVE A DISTANCE OF 123.39 FEET THROUGH A CENTRAL ANGLE OF 26°40'40"; THENCE SOUTH 16°03'04" WEST 110.67 FEET TO THE BEGINNING OF A TANGENT 565.00 FOOT RADIUS CURVE, CONCAVE EASTERLY; THENCE SOUTHERLY ALONG SAID CURVE A DISTANCE OF 120.45 FEET THROUGH A CENTRAL ANGLE OF 12°12'52"; THENCE SOUTH 03°50'12" WEST 21.56 FEET; THENCE SOUTH 15°38'02" WEST 78.86 FEET TO SAID NORTHERLY LINE OF COPLEY DRIVE; THENCE ALONG SAID NORTHERLY LINE OF COPLEY DRIVE NORTH 74°04'11" WEST (RECORD NORTH 74°03'57" WEST PER PARCEL MAP NO.16873) 15.00 FEET TO THE TRUE POINT OF BEGINNING.



G. A. Lintvedt 12-14-95

GARY A. LINTVEDT

L.S. 4593

LICENSE EXPIRES 9-30-98

11644-1

10474 SQUARE FEET

W.O. NO. 195555

DWG. NO. 18230-B

GENERAL UTILITY EASEMENT

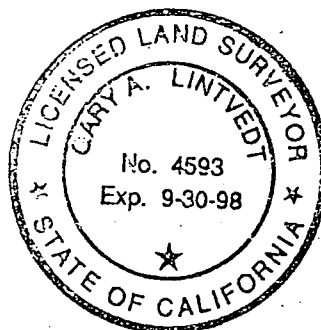
PARCEL "E"

THAT PORTION OF UNIT NO. U-4 AS SHOWN ON THAT CERTAIN DIAGRAMMATIC PLAN RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA, ON SEPTEMBER 26, 1995, AS DOCUMENT NO. 1995-042702, BEING A PORTION OF PARCEL 7 OF PARCEL MAP NO. 16873 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 11, 1992, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID UNIT NO. U-4 AND SAID PARCEL 7 OF SAID PARCEL MAP NO. 16873, BEING ALSO A POINT ON THE NORTHERLY LINE OF COPLEY DRIVE AS DEDICATED PER MAP NO. 12675; THENCE ALONG SAID NORTHERLY LINE OF COPLEY DRIVE SOUTH 74°04'11" EAST (RECORD SOUTH 74°03'57" EAST PER PARCEL MAP NO. 16873) 100.80 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID NORTHERLY LINE OF COPLEY DRIVE, NORTH 15°38'02" EAST 71.81 FEET; THENCE NORTH 03°50'12" EAST 14.84 FEET TO THE BEGINNING OF A TANGENT 630.00 FOOT RADIUS CURVE, CONCAVE EASTERLY; THENCE NORTHERLY ALONG SAID CURVE A DISTANCE OF 134.30 FEET THROUGH A CENTRAL ANGLE OF 12°12'52"; THENCE NORTH 16°03'04" EAST 110.67 FEET TO THE BEGINNING OF A TANGENT 330.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE NORTHEASTERLY ALONG SAID CURVE A DISTANCE OF 41.25 FEET THROUGH A CENTRAL ANGLE OF 07°09'43" TO THE NORTHWESTERLY LINE OF SAID UNIT NO. U-4 AND SAID PARCEL 7, A RADIAL LINE TO SAID POINT BEARS NORTH 66°47'13" WEST; THENCE ALONG SAID NORTHWESTERLY LINE NORTH 42°38'31" EAST (RECORD NORTH 42°39'03" EAST PER PARCEL MAP NO. 16873) 128.88 FEET TO THE MOST

NORTHERLY CORNER OF SAID UNIT NO. U-4, SAID POINT BEING IN A TANGENT 320.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY ALONG SAID CURVE AND THE EASTERLY LINE OF SAID UNIT NO. U-4, A DISTANCE OF 160.13 FEET THROUGH A CENTRAL ANGLE OF 28°40'18" (RECORD 160.16 FEET AND 28°40'36" PER DOCUMENT NO. 1995-042702); THENCE TANGENT TO SAID CURVE, SOUTH 13°58'13" WEST 161.28 FEET (RECORD SOUTH 13°58'27" WEST 161.15 FEET PER DOCUMENT NO. 1995-042702) TO THE BEGINNING OF A TANGENT 372.00 FOOT RADIUS CURVE, CONCAVE EASTERLY; THENCE SOUTHERLY ALONG SAID CURVE A DISTANCE OF 70.63 FEET THROUGH A CENTRAL ANGLE OF 10°52'43" TO A POINT OF REVERSE CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 228.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE A DISTANCE OF 51.09 FEET THROUGH A CENTRAL ANGLE OF 12°50'19"; THENCE TANGENT TO SAID CURVE SOUTH 15°55'49" WEST (RECORD SOUTH 15°56'03" WEST PER DOCUMENT NO. 1995-042702) 50.00 FEET TO THE SOUTHEAST CORNER OF SAID UNIT NO. U-4, BEING ALSO A POINT IN THE NORTHERLY LINE OF COPLEY DRIVE; THENCE NORTHWESTERLY ALONG SAID NORTHERLY LINE OF COPLEY DRIVE NORTH 74°04'11" WEST (RECORD NORTH 74°03'57" WEST PER PARCEL MAP NO. 16873) 29.70 FEET TO THE TRUE POINT OF BEGINNING.

11,854 SQUARE FEET
W.O. NO. 195555
DWG. NO. 18230-B



Gary A. Lintvedt 12-14-95

GARY A. LINTVEDT

L.S. 4593

LICENSE EXPIRES 9-30-98

11644-1

TEMPORARY CONSTRUCTION AREA

PARCEL "B"

THAT PORTION OF UNIT NO. U-4 AS SHOWN ON THAT CERTAIN DIAGRAMMATIC PLAN RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA, ON SEPTEMBER 26, 1995, AS DOCUMENT NO. 1995-042702, BEING A PORTION OF PARCEL 7 OF PARCEL MAP NO. 16873 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 11, 1992, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

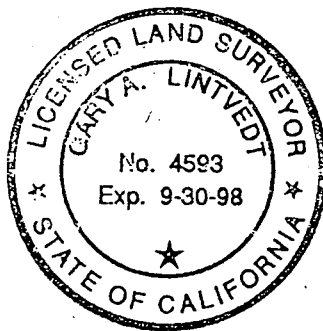
BEGINNING AT THE SOUTHWEST CORNER OF SAID UNIT NO. U-4 AND SAID PARCEL 7 OF SAID PARCEL MAP NO. 16873, BEING ALSO A POINT ON THE NORTHERLY LINE OF COPLEY DRIVE AS DEDICATED PER MAP NO. 12675; THENCE ALONG SAID NORTHERLY LINE OF COPLEY DRIVE SOUTH 74°04'11" EAST (RECORD SOUTH 74°03'57" EAST PER PARCEL MAP NO.16873) 100.80 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID NORTHERLY LINE OF COPLEY DRIVE, NORTH 15°38'02" EAST 71.81 FEET; THENCE NORTH 03°50'12" EAST 14.84 FEET TO THE BEGINNING OF A TANGENT 630.00 FOOT RADIUS CURVE, CONCAVE EASTERLY; THENCE NORTHERLY ALONG SAID CURVE A DISTANCE OF 134.30 FEET THROUGH A CENTRAL ANGLE OF 12°12'52"; THENCE NORTH 16°03'04" EAST 110.67 FEET TO THE BEGINNING OF A TANGENT 330.00 RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE NORTHEASTERLY ALONG SAID CURVE A DISTANCE OF 41.25 FEET THROUGH A CENTRAL ANGLE OF 07°09'43" TO THE NORTHWESTERLY LINE OF SAID UNIT NO. U-4 AND SAID PARCEL 7; THENCE ALONG SAID NORTHWESTERLY LINE SOUTH 42°38'31" WEST (RECORD SOUTH 42°39'03" WEST) 39.14 FEET TO A POINT IN A 345.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY, A RADIAL LINE TO SAID

CURVE BEARS NORTH 72°55'44" WEST; THENCE LEAVING SAID NORTHWESTERLY LINE SOUTHWESTERLY ALONG SAID CURVE A DISTANCE OF 6.14 FEET THROUGH A CENTRAL ANGLE OF 01°01'12"; THENCE SOUTH 16°03'04" WEST 110.67 FEET TO A TANGENT 645.00 FOOT RADIUS CURVE, CONCAVE EASTERLY; THENCE SOUTHERLY ALONG SAID CURVE A DISTANCE OF 137.50 FEET THROUGH A CENTRAL ANGLE OF 12°12'52"; THENCE SOUTH 03°50'12" WEST 13.29 FEET; THENCE SOUTH 15°38'02" WEST 70.18 FEET TO SAID NORTHERLY LINE OF COPLEY DRIVE; THENCE ALONG SAID NORTHERLY LINE OF COPLEY DRIVE SOUTH 74°04'11" EAST (RECORD NORTH 74°03'57" WEST PER PARCEL MAP NO. 16873) 15.00 FEET TO THE TRUE POINT OF BEGINNING.

5318 SQUARE FEET

W.O. NO. 195555

DWG. NO. 18230-B



G. A. Lintvedt 12-14-95

GARY A. LINTVEDT

L.S. 4593

LICENSE EXPIRES 9-30-98

11644-1

Section 5. That the taking and acquiring by said City of the permanent general utility easements and temporary construction easements hereinabove described is deemed necessary for the construction, operation and maintenance of a public pipeline project and all incidents and appurtenances thereto to provide a public pipeline that will contain utility service lines and that will carry digested sludge from the Point Loma Wastewater Treatment Plant to the proposed sludge processing facility at NAS Miramar, in the City of San Diego for the inhabitants thereof, for municipal purposes; and that such uses are public uses authorized by law (Section 220, Charter of the City of San Diego; Sections 1240.010, 1240.110, 1240.120, and 1255.410, Code Civil Procedure; and Sections 37350.5, 38900, 39040 and 40404, Government Code); that for such public use, it is necessary that the City of San Diego condemn and acquire said permanent general utility easements and temporary construction easements; that said real property is to be used for the construction, operation and maintenance of a public pipeline project and all incidents and appurtenances thereto, for the Fiesta Island Replacement Project--Phase II, a general utility easement pipeline, which is planned and located in a manner most compatible with the greatest public good and the least private injury.


Section 6. That an offer to acquire the property, pursuant to Government Code Section 7267.2, at the appraised fair market value has been made to the owners of record of the property.

Section 7. That the City Attorney of the City San Diego be, and he is hereby authorized and directed to commence an action in

the Superior Court the State California, in and for the County of San Diego, in the name and on behalf of the City of San Diego, against all owners and claimants to an interest in the above-described real property, for the purpose of condemning and acquiring the easements as above described and obtaining immediate possession of said parcels for the use of said City.

APPROVED: JOHN W. WITT, City Attorney

By



LESLIE A. FITZGERALD

Deputy City Attorney

LAF:cc:Lit.
00/00/94
Or.Dept:REA
Aud.Cert:9600886
r-96-945
Form=r.

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

CERTIFICATE OF UNALLOTTED BALANCE AC 9600886

ORIGINATING DEPT. NO.: 700

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 \$ 130,000.00 Fund 41509

Purpose To authorize the expenditure for land acquisition for the Fiesta

Island Replacement Project- Phase II.

Date February 16, 1996

By: *Angie G. Giff*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	40012	700	7002	4279	195500		41509		\$130,000.00
TOTAL AMOUNT										\$130,000.00

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 money 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 _____

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

AC 9600886

R- 287002

MAR 05 1996