

ORDINANCE NUMBER O-18766 (NEW SERIES)

ADOPTED ON FEB 22 2000

AN ORDINANCE SETTING ASIDE AND DEDICATING CITY-OWNED LAND, KNOWN AS "MID-CITY ATHLETIC AREA" IN THE CITY OF SAN DIEGO, CALIFORNIA, FOR A PUBLIC PARK.

WHEREAS, San Diego Charter section 55 [Charter] provides that all real property owned in fee by the City that is dedicated by ordinance for park and recreation purposes shall not be used for any but park and recreation purposes without a changed use or purpose being authorized by a two-thirds vote of the people; and

WHEREAS, in accordance with the Charter and Council Policy 700-17, the Park and Recreation Board [Board] has reviewed the City's inventory of park lands to determine which parks have met the requirements for dedication by ordinance; and

WHEREAS, the Board has identified thirty-one parks that meet the Charter and Policy requirements, one of which is known as "Mid-City Athletic Area," and recommends that those parks be dedicated by ordinance; NOW, THEREFORE,

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

Section 1. That the City-owned land known as "Mid-City Athletic Area," which is more particularly described in Exhibit A, attached hereto and incorporated herein by this reference, is set aside and dedicated in perpetuity for park and recreational purposes.

Section 2. That the City Council of The City of San Diego specifically reserves the right to establish underground public service easements through and across the dedicated property so

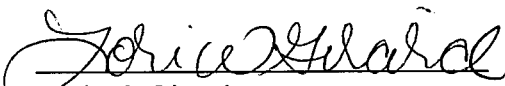
long as the construction and maintenance of the subject easements do not substantially negatively impact the availability of the property for use for park and recreational purposes.

Section 3. That the City Clerk is authorized and directed to file for record in the office of the San Diego County Recorder a certified copy of this ordinance.

Section 4. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 5. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By 
Lori W. Girard
Deputy City Attorney

LWG:cdk
1/4/00
Or.Dept:Pk.&Rec.
O-2000-109
Form=sappo.frm

EXHIBIT A
PARCEL 17
(Mid-City Athletic Area)

- A. THAT PORTION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF LOT 13 HORTON'S PURCHASE, IN THE EX-MISSION LANDS OF SAN DIEGO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO. 283, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY MARCH 9, 1878, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WESTERLY LINE OF SAID LOT 13, DISTANCE THEREON NORTH $00^{\circ} 18' 15''$ WEST 180.62 FEET FROM THE SOUTHWESTERLY CORNER OF SAID LOT; THENCE ALONG SAID WESTERLY LINE SOUTH $00^{\circ} 18' 15''$ EAST, 142.14 FEET; THENCE NORTH $51^{\circ} 41' 15''$ EAST 478.77 FEET TO THE NORTHERLY LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER OF LOT 13; THENCE ALONG SAID NORTHERLY LINE SOUTH $89^{\circ} 37' 15''$ WEST 182.18 FEET TO A LINE WHICH BEARS NORTH $51^{\circ} 41' 15''$ EAST FROM THE POINT OF BEGINNING; THENCE SOUTH $51^{\circ} 41' 15''$ WEST 247.56 FEET TO THE POINT OF BEGINNING.

THIS CONVEYANCE IS MADE FOR THE PURPOSE OF A LIMITED ACCESS ROAD AND THE GRANTERS HEREBY RELEASE AND RELINQUISH TO THE GRANTEE ANY AND ALL ABUTTERS RIGHTS, INCLUDING ACCESS RIGHTS APPURTENANT TO THE GRANTORS REMAINING LANDS AND TO SAID LIMITED ACCESS ROAD.

- B. AN EASEMENT AND RIGHT OF WAY FOR AN EARTH EXCAVATION OR EMBANKMENT, SLOPE OR SLOPES, AND INCIDENTS THERETO, THROUGH, OVER, UNDER, UPON, ALONG, AND ACROSS THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF LOT 13 OF HORTON'S PURCHASE IN THE EX-MISSION LANDS OF SAN DIEGO, CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO. 283, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY, MARCH 9, 1878, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 13; THENCE ALONG THE WESTERLY LINE OF SAID LOT, NORTH $00^{\circ} 18' 15''$ WEST 38.48 FEET; THENCE NORTH $51^{\circ} 41' 15''$ EAST 478.77 FEET TO THE NORTHERLY LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID LOT 13;

ATTACHMENT A
PARCEL 17 - CONTINUED
(Mid-City Athletic Area)

THENCE ALONG SAID NORTHERLY LINE NORTH 89° 37' 15" EAST 50 FEET;
THENCE SOUTH 51° 41' 15" WEST 72.75 FEET; THENCE SOUTH 26° 16' 39"
WEST 54.96 FEET; THENCE SOUTH 51° 41' 15" WEST 150 FEET, THENCE
SOUTH 60° 46' 40" WEST 151.91 FEET; THENCE SOUTH 51° 41' 15" WEST 119.50
FEET TO THE POINT OF BEGINNING.

- C. THAT PORTION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF
LOT 13 OF HORTON'S PURCHASE IN THE EX-MISSION LANDS OF SAN DIEGO,
IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF
CALIFORNIA, ACCORDING TO MAP NO. 283, FILED IN THE OFFICE OF THE
COUNTY RECORDER OF SAID COUNTY, MARCH 9, 1878, LYING
NORTHWESTERLY OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF SAID LOT 13,
DISTANCE THEREOF NORTH 00° 18' 15" WEST 180.62 FEET FROM THE
SOUTHWESTERLY CORNER OF SAID LOT 13; THENCE NORTH 51° 41' 15"
EAST 247.56 FEET TO THE NORTHERLY LINE OF SAID SOUTH HALF OF THE
SOUTHWEST QUARTER.

- D. LOT 2 OF "F" AND "K" SUBDIVISION, IN THE CITY OF SAN DIEGO, COUNTY
OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO. 4879 FILED
IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY,
NOVEMBER 17, 1961.

- E. THOSE PORTIONS OF WADSWORTH'S OLIVE GROVE ADDITION, IN THE CITY
OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA,
ACCORDING TO MAP THEREOF NO. 482 FILED IN THE OFFICE OF THE
COUNTY RECORDER ON FEBRUARY 10, 1888 DESCRIBED AS FOLLOWS:

LOT 1 TO 17 INCLUSIVE, IN BLOCK "A", ALL OF BLOCK 17 AND THAT
PORTION OF BLOCK 18 LYING WITHIN THE FOLLOWING BOUNDARIES:

BEGINNING AT THE NORTHEAST CORNER OF BLOCK 18; THENCE
SOUTHWESTERLY ALONG THE EASTERLY LINE OF SAID BLOCK TO THE
SOUTHEAST CORNER THEREOF; THENCE NORTHEASTERLY TO A POINT IN
THE NORTH LINE OF SAID BLOCK 18, FAR ENOUGH WEST OF THE
NORTHEAST CORNER OF SAID BLOCK 18 TO CONTAIN 66/100 OF AN ACRE;
THENCE EAST ALONG SAID NORTH LINE TO THE POINT OF BEGINNING,
EXCEPTING THEREFROM THOSE PORTIONS LYING WITHIN THE
BOUNDARIES OF EUCLID AVENUE.

ATTACHMENT A
PARCEL 17 - CONTINUED
(Mid-City Athletic Area)

- F. THOSE PORTIONS OF HORTON'S PURCHASE OF THE EX-MISSION LANDS OF SAN DIEGO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO. 283, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON MARCH 9, 1878, AS FOLLOWS:

THE SOUTH HALF OF LOT 12; THE NORTH HALF OF THE NORTHEAST QUARTER OF LOT 12; THE NORTHEAST QUARTER OF LOT 13, EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE BOUNDARIES OF FAIRMOUNT AVENUE; THE NORTHWEST QUARTER OF LOT 20, AND THAT PORTION OF THE SOUTH HALF OF LOT 20 LYING NORTH OF THE NORTH LINE OF FEDERAL BOULEVARD; THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF LOT 13; THE NORTHEAST QUARTER OF LOT 13, EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE BOUNDARIES OF FAIRMOUNT AVENUE, AND ALSO EXCEPTING THEREFROM THAT PORTION LYING NORTHERLY OF THE NORTH LINE OF FAIRMOUNT AVENUE AND CHOLLAS ROAD; THAT PORTION OF LOT 19, DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT ON THE NORTH LINE OF SAID LOT 19, WHICH IS 20 RODS WEST FROM THE NORTHEAST CORNER OF SAID LOT 19; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID LOT 19, 236.00 FEET, MORE OR LESS, TO THE NORTH LINE OF THE COUNTY ROAD; THENCE SOUTHWESTERLY ALONG THE NORTH LINE OF THE COUNTY ROAD TO THE INTERSECTION WITH THE WEST LINE OF SAID LOT 19; THENCE NORTH ALONG SAID WEST LINE TO THE NORTHWEST CORNER OF SAID LOT 19; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 19 TO THE POINT OF BEGINNING, EXCEPTING THEREFROM SAID PORTION OF LOT 19, A ONE-HALF INTEREST IN ALL OF THE MINERAL DEPOSITS, MINERAL OILS, AND NATURAL GASSES OF EVERY KIND AND NATURE CONTAINED IN OR UNDER SAID PREMISES, AS RESERVED IN DEED FROM CHARLES H. DALY AND WILHELMINA DALY, HUSBAND AND WIFE, RECORDED DECEMBER 2, 1922 IN BOOK 891, PAGE 407 OF DEEDS.

- G. THAT PORTION OF PUEBLO LOT NO. 1347 OF THE PUEBLO LANDS OF SAN DIEGO, ACCORDING TO MAP THEREOF MADE BY JAMES PASCOE, A CERTIFIED COPY OF WHICH IS ON FILE IN THE OFFICE OF THE COUNTY RECORDER, LYING WITHIN THE FOLLOWING BOUNDARIES:

ATTACHMENT A
PARCEL 17 - CONTINUED
(Mid-City Athletic Area)

BEGINNING AT A POINT ON THE BOUNDARY LINE COMMON TO PUEBLO LOT NO. 1347 AND PUEBLO LOT NO. 1157, BEING ON THE WEST BOUNDARY LINE OF SAID PUEBLO LOT 1347, WHICH POINT IS HALFWAY BETWEEN THE NORTHEASTERLY CORNER OF PUEBLO LOT 1151 AND THE SOUTHEASTERLY CORNER OF PUEBLO LOT 1151; THENCE EAST TO THE NORTHWESTERLY BOUNDARY LINE OF THE PUBLIC ROAD 80 FEET WIDE; THENCE IN A NORTHEASTERLY DIRECTION FOLLOWING SAID NORTHWESTERLY BOUNDARY LINE OF SAID ROAD TO A POINT WHERE THE NORTHWESTERLY BOUNDARY LINE OF SAID ROAD INTERSECTS THE EASTERLY LINE OF PUEBLO LOT 1347; THENCE NORTH $16^{\circ} 13' 00''$ WEST ALONG THE EAST BOUNDARY LINE OF PUEBLO LOT 1347 TO THE NORTHEAST CORNER OF PUEBLO LOT 1347; THENCE WEST ALONG THE NORTHERLY BOUNDARY LINE OF PUEBLO LOT 1347 A DISTANCE OF 140.00 FEET; THENCE SOUTH $55^{\circ} 27' 00''$ WEST 430 FEET; THENCE SOUTH $65^{\circ} 27' 00''$ WEST 250.00 FEET; THENCE SOUTH $62^{\circ} 07' 00''$ WEST 375.60 FEET, MORE OR LESS, TO THE WEST LINE OF PUEBLO LOT 1347 BEING SAID BOUNDARY LINE COMMON TO PUEBLO LOTS 1347 AND 1351; THENCE SOUTH TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF SAN DIEGO BY DEED RECORDED MARCH 15, 1949, IN BOOK 3286, PAGE 435 OF THE OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF PUEBLO LOT 1151, OF SAID PUEBLO LANDS OF SAN DIEGO, RUNNING THENCE DUE EAST 61.29 FEET, MORE OR LESS, TO A POINT IN THE NORTHWESTERLY LINE OF THE PUBLIC HIGHWAY (FEDERAL BOULEVARD) AS DESCRIBED IN DECREE RENDERED BY THE SUPERIOR COURT OF SAN DIEGO COUNTY, IN ACTION NO. 18094, A CERTIFIED COPY OF WHICH WAS RECORDED NOVEMBER 22, 1912, IN BOOK 583, PAGE 265 OF DEEDS; THENCE NORTH $39^{\circ} 28' 52''$ EAST 477.91 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 607.75 FEET, THE CENTER OF WHICH BEARS SOUTH $50^{\circ} 31' 08''$ EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 215.99 FEET; THENCE NORTH $59^{\circ} 50' 38''$ EAST 222.52 FEET; THENCE NORTH $30^{\circ} 09' 22''$ WEST 60 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE TO THE NORTHERLY, HAVING A RADIUS OF 1900 FEET, THE CENTER OF WHICH BEARS NORTH $30^{\circ} 09' 22''$ WEST; THENCE WESTERLY ALONG THE ARC OF SAID CURVE 458.09 FEET; THENCE NORTH $76^{\circ} 53' 16''$ WEST 175.81 FEET; THENCE NORTH $54^{\circ} 05' 47''$ WEST 132.27 FEET, MORE OR LESS, TO A POINT IN THE WEST LINE OF SAID PUEBLO LOT 1347; THENCE SOUTH $00^{\circ} 39' 50''$ EAST 608.72 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

ATTACHMENT A
PARCEL 17 - CONTINUED
(Mid-City Athletic Area)

- H. THOSE PORTIONS OF MARILOU PARK, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 517, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MARCH 24, 1888, DESCRIBED AS FOLLOWS:

ALL OF BLOCK 32, EXCEPTING THEREFROM THOSE PORTIONS LYING WITHIN THE BOUNDARIES OF HOME AVENUE; ALL OF BLOCK 38; ALL OF BLOCK 39, EXCEPTING THEREFROM THOSE PORTIONS LYING WITHIN THE BOUNDARIES OF HOME AVENUE; ALL OF BLOCKS 40 AND 41.

- I. THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, OF SECTION 33, TOWNSHIP 16 SOUTH, RANGE 2 WEST, SAN BERNADINO MERIDIAN, BEING A PORTION OF RANCHO MISSION.

- J. THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 16 SOUTH, RANGE 2 WEST, SAN BERNADINO MERIDIAN, BEING A PORTION OF RANCHO MISSION, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 33; THENCE NORTH ALONG THE EAST LINE OF SAID SECTION 33, A DISTANCE OF 636.53 FEET; THENCE SOUTH $32^{\circ} 50' 00''$ WEST 757.2 FEET; THENCE SOUTH $89^{\circ} 57' 00''$ EAST 410.6 FEET TO THE POINT OF BEGINNING:

EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE BOUNDARIES OF THAT CERTAIN 40 FOOT STRIP CONVEYED TO SOUTHERN CALIFORNIA MOUNTAIN WATER COMPANY BY DEED RECORDED JUNE 24, 1912 IN BOOK 570, PAGE 113 OF DEEDS.