

ORDINANCE NUMBER O- 18767 (NEW SERIES)

ADOPTED ON FEB 22 2000

AN ORDINANCE SETTING ASIDE AND DEDICATING CITY-OWNED LAND, KNOWN AS "MISSION HILLS PARK/CALVARY PIONEER PARK" 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 "Mission Hills Park/Calvary Pioneer Park," 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 "Mission Hills Park/Calvary Pioneer Park," 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

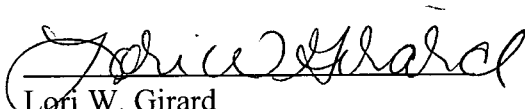
long as the construction and maintenance of the subject easements do not substantially negatively impact the availability of the property for use for park and recreational purposes.

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-2000-110
Form=sappo.frm

EXHIBIT A
PARCEL 18
(Mission Hills Park)

A. THAT PARCEL OF LAND IDENTIFIED AS MISSION HILLS PARK IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA ACCORDING TO MISSION HILLS MAP NO. 1115 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JANUARY , 1907.

B. THAT REAL ESTATE SITUATED IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, PARTICULARLY DESCRIBED AS THE NORTH FIVE (5) ACRES OF THAT CERTAIN PIECE AND PARCEL OF LAND DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT;

COMMENCING AT A STAKE MARKED CEMETERY AT THE SOUTHEAST CORNER OF A TRACT OF LAND DEEDED TO J. S. MANNAFEE ON THE 18TH DAY OF FEBRUARY A.D., 1869, BY THE TRUSTEES OF SAID CITY, SAID INITIAL POINT BEING COMMON TO PUEBLO LOTS 1119, 1120, 1121 AND 1122, AS PER CHAS. H. POOL'S OFFICIAL MAP OF THE PUEBLO LANDS OF SAID CITY, THENCE WEST 9.25 CHAINS TO A STAKE, THENCE NORTH 01° 00' 00" EAST, 10.94 CHAINS TO A STAKE ON SIDE-HILL; THENCE EAST 9.04 CHAINS TO A STAKE; THENCE SOUTH 10.94 CHAINS TO POINT OF COMMENCEMENT, CONTAINING TEN (10) ACRES AND MORE FULLY DESCRIBED BY A PLAT OF SURVEY MADE BY L. L. LOCKING, CIVIL ENGINEER, ACCOMPANYING THE DEED, BE AND THE SAME IS HEREBY SET ASIDE AND DEDICATED, DONATED AND RESERVED TO THE PUBLIC FOR USE AS A PUBLIC PARK.

C. THAT CERTAIN TRACT OF LAND DESIGNATED AS CATHOLIC CEMETERY IN NORTH FLORENCE HEIGHTS IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 634, FILED JUNE 9, 1890, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 9, 1890.