

ORDINANCE NUMBER O-18768 (NEW SERIES)

ADOPTED ON FEB 22 2000

AN ORDINANCE SETTING ASIDE AND DEDICATING CITY-OWNED LAND, KNOWN AS "MOUNTAIN VIEW 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 "Mountain View 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 "Mountain View 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.

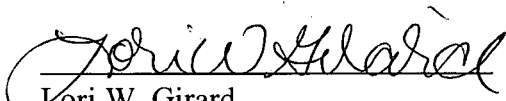
Section 3. That the City Clerk is authorized and directed to file for record in the office of the San Diego County Recorder a certified copy of this ordinance.

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-2000-111
Form=sappo.frm

EXHIBIT A
PARCEL 19
(Mountain View Park)

A. ALL OF LOTS 13 TO 16 INCLUSIVE IN BLOCK 58 OF CARRUTHER'S ADDITION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1557, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 8, 1913.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 13; THENCE SOUTH $16^{\circ} 11' 00''$ EAST, ALONG THE EAST PROPERTY LINE OF BOUNDARY STREET, 243.00 FEET; THENCE NORTH $86^{\circ} 43' 00''$ EAST 239.00 FEET; THENCE SOUTH $68^{\circ} 56' 30''$ EAST, 171.90 FEET; THENCE SOUTH $02^{\circ} 25' 00''$ EAST, 267.00 FEET; THENCE SOUTH $29^{\circ} 11' 00''$ EAST, 170.00 FEET; THENCE SOUTH $23^{\circ} 30' 00''$ WEST, 55.00 FEET TO THE SOUTH LINE OF THE NORTH 110.00 FEET OF SAID LOT 17; THENCE SOUTH $89^{\circ} 40' 00''$ EAST ALONG SAID SOUTH LINE 545.00 FEET TO THE EAST LINE OF SAID LOT 17; THENCE NORTH $00^{\circ} 16' 00''$ EAST ALONG THE EAST LINE OF LOTS 17, 16, 15, 14 AND 13, 744.04 FEET TO THE NORTHWEST CORNER OF LOT 13; THENCE NORTH $89^{\circ} 40' 00''$ WEST ALONG THE SOUTH LINE OF OCEAN VIEW BOULEVARD, 1087.50 FEET TO THE POINT OF BEGINNING.