

(O-2000-119)

ORDINANCE NUMBER O- 18776 (NEW SERIES)

ADOPTED ON FEB 22 2000

AN ORDINANCE SETTING ASIDE AND DEDICATING CITY-OWNED LAND, KNOWN AS "SOUTHWEST 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 "Southwest 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 "Southwest 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

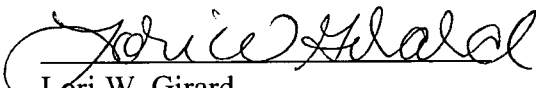
long as the construction and maintenance of the subject easements do not substantially negatively impact the availability of the property for use for park and recreational purposes.

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-2000-119
Form=sappo.frm

EXHIBIT A
PARCEL 27
(Southwest Park)

- A. THAT PORTION OF THE NORTH 25 RODS OF LOT 14 OF THE TIBBETTS TRACT, A SUBDIVISION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 27 AND THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 34, ALL IN TOWNSHIP 18 SOUTH, RANGE 2 WEST, SAN BERNADINO BASE AND MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO AMENDED MAP THEREOF, BEING LICENSED SURVEY MAP NO. 24, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 25, 1892, AS DESCRIBED IN DEED TO ABRAHAM F. CUEVA, ET AL, RECORDED JULY 13, 1948, IN BOOK 2869, PAGE 389 OF OFFICIAL RECORDS IN THE OFFICE OF SAID COUNTY RECORDER, LYING NORTHEASTERLY OF THE NORTHEASTERLY LINE OF THE RIGHT OF WAY OF THE SAN DIEGO AND SOUTHEASTERN RAILROAD (FORMALLY NATIONAL CITY AND OTAY RAILROAD) AS THE SAME EXISTED ON MAY 5, 1921, AND LYING NORTHEASTERLY AND EASTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHEASTERLY TERMINUS OF COURSE (7), AS DESCRIBED IN PARCEL 8-A OF RELINQUISHMENT TO THE CITY OF SAN DIEGO RECORDED JANUARY 21, 1959, IN BOOK 7457, PAGE 339 OF OFFICIAL RECORDS OF SAID COUNTY; THENCE (1) ALONG SAID COURSE (7), NORTH 45° 32' 06" WEST, 381.42 FEET TO THE TRUE POINT OF BEGINNING; THENCE (2) FROM A TANGENT WHICH BEARS NORTH 37° 51' 38" WEST ALONG A CURVE TO THE RIGHT, WITH A RADIUS OF 1770.00 FEET, THROUGH AN ANGLE OF 05° 28' 14" A DISTANCE OF 169.00 FEET; THENCE (3) NORTH 32° 23' 24" WEST, 699.51 FEET; THENCE (4) NORTH 31° 49' 01" WEST, 279.25 FEET THENCE (5) ALONG A TANGENT CURVE TO THE RIGHT, WITH A RADIUS OF 30.00 FEET, THROUGH AN ANGLE OF 122° 17' 39" A DISTANCE OF 64.03 FEET TO THE SOUTHERLY LINE OF GROVE AVENUE (STREET); THENCE (6) LEAVING SAID SOUTHERLY LINE NORTH 00° 28' 38" EAST 30.00 FEET TO THE CENTER LINE OF SAID GROVE AVENUE (STREET), DISTANCE ALONG SAID CENTERLINE SOUTH 89° 31' 22" EAST, 30.90 FEET FROM THE SOUTHERLY TERMINUS OF COURSE DESCRIBED AS "SOUTH 00° 00' 20" EAST, 30 FEET TO A POINT ON THE CENTERLINE OF SAID GROVE STREET" IN PARCEL 8 OF RELINQUISHMENT TO THE COUNTY OF SAN DIEGO, RECORDED MAY 20, 1955, IN BOOK 5651, PAGE 212 OF SAID OFFICIAL RECORDS.

- B. ALL THAT PORTION OF LOT 14 OF TIBBETT'S TRACT, A SUBDIVISION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 27 AND THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 34, ALL IN

ATTACHMENT A
PARCEL 27 - CONTINUED
(Southwest Park)

TOWNSHIP 18 SOUTH, RANGE 2 WEST, SAN BERNADINO MERIDIAN, CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO AMENDED MAP THEREOF, BEING LICENSED SURVEY MAP NO. 24, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 25, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 551.50 FEET SOUTH OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 27 BEING THE SOUTHEAST CORNER OF LAND DESCRIBER IN DEED TO RALPH E. JOHNSON ET UX RECORDED JULY 13, 1953 IN BOOK 4919, PAGE 469 OF OFFICIAL RECORDS; THENCE CONTINUING SOUTH 273.50 FEET TO THE SOUTHEAST CORNER OF LAND DESCRIBED IN DEED RECORDED TO NELLIE D. PARSONS RECORDED OCTOBER 3, 1931 IN BOOK 32, PAGE 343 OF OFFICIAL RECORDS; THENCE WEST ALONG THE SOUTH LINE OF SAID PARSON'S LAND TO THE MOST EASTERLY CORNER OF CALIFORNIA STATE HIGHWAY AS DESCRIBED IN DEED TO THE STATE OF CALIFORNIA RECORDED JUNE 27, 1952 IN BOOK 4508, PAGE 265 OF OFFICIAL RECORDS; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY LINE OF SAID STATE HIGHWAY TO THE WESTERLY PROLONGATION OF THE SOUTH LINE OF SAID JOHNSON'S LAND; THENCE EAST ALONG SAID PROLONGATION AND SAID SOUTH LINE OF THE JOHNSON'S LAND TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT PORTION LYING WESTERLY LINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID HEREIN ABOVE DESCRIBED LAND; THENCE ALONG THE NORTHERLY LINE THEREOF, SOUTH $89^{\circ} 55' 00''$ WEST 267.54 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH $00^{\circ} 02' 57''$ EAST 141.24 FEET; THENCE SOUTH $44^{\circ} 44' 07''$ WEST 61.79 FEET; THENCE SOUTH $00^{\circ} 02' 57''$ EAST 88.38 FEET TO THE SOUTHERLY LINE OF SAID HEREIN ABOVE DESCRIBED LAND.

- C. ALL THAT PORTION OF LOT 14 OF THE TIBBETT'S TRACT, A SUBDIVISION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 27 AND THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 34, ALL IN TOWNSHIP 18 SOUTH, RANGE 2 WEST, SAN BERNADINO MERIDIAN, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE AMENDED MAP THEREOF BEING LICENSED SURVEY MAP 24, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 25, 1892, DESCRIBED AS FOLLOWS:

ATTACHMENT A
PARCEL 27 - CONTINUED
(Southwest Park)

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, SAID CORNER ALSO BEING THE CENTERLINE INTERSECTION OF GROVE AVENUE AND 27TH STREET; THENCE WITHIN THE CENTERLINE OF SAID 27TH STREET SOUTH 00° 02' 57" EAST 412.54 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 89° 56' 50" WEST, 30 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SAID 27TH STREET, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF

TIBBETT'S TRACT RESUB. NO. 1, MAP 4734; THENCE CONTINUING SOUTH 89° 56' 50" WEST, 755.99 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF 25TH STREET; THENCE ALONG SAID RIGHT OF WAY LINE SOUTH 32° 56' 14" EAST 503.37 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE THE SEVEN FOLLOWING COURSES AND DISTANCES:

NORTH 89° 55' 00" EAST 111.66 FEET; NORTH 00° 02' 57" WEST, 10.00 FEET; NORTH 89° 55' 00" EAST 89.93 FEET; NORTH 00° 02' 57" WEST, 88.38 FEET; NORTH 44° 44' 07" EAST, 61.79 FEET; NORTH 00° 02' 57" WEST, 141.24 FEET; AND NORTH 89° 55' 00" EAST 237.54 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SAID 27TH STREET; THENCE CONTINUING NORTH 89° 55' 00" EAST 30.00 FEET TO THE CENTERLINE OF SAID 27TH STREET; THENCE NORTH 00° 01' 57" WEST, 139.00 FEET TO THE TRUE POINT OF BEGINNING.

- D. ALL THAT PORTION OF LOT 14 OF THE TIBBETT'S TRACT, A SUBDIVISION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 27 AND THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 34, ALL IN TOWNSHIP 18 SOUTH, RANGE 2 WEST, SAN BERNADINO MERIDIAN, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE AMENDED MAP THEREOF BEING LICENSED SURVEY MAP 24, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 25, 1892, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 13 ½ RODS WEST OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 18 SOUTH, RANGE 2 WEST, SAN BERNADINO BASE AND MERIDIAN; RUNNING THENCE SOUTH ALONG THE WEST LINE OF THE LAND FORMERLY OWNED BY GEORGE W. MARSTON AND A CONTINUATION THEREOF, A DISTANCE OF 25 RODS; THENCE WEST A DISTANCE OF ABOUT 40 ½ RODS TO THE EAST LINE OF LAND FORMERLY OWNED BY ONE

ATTACHMENT A
PARCEL 27 - CONTINUED
(Southwest Park)

MAPSON; THENCE NORTH ALONG THE EAST LINE OF MAPSON'S LAND, 25 RODS TO THE NORTH LINE OF LOT 14 OF THE TIBBETT'S TRACT, THENCE EAST ALONG SAID NORTH LINE OF LOT 14 TIBBETT'S TRACT TO THE POINT OF BEGINNING.

EXCEPTING THAT PORTION LYING SOUTHWESTERLY OF THE NORTHEASTERLY LINE OF THE LAND DESCRIBED UNDER PARCEL 1 IN DEED TO THE STATE OF CALIFORNIA, FOR ROAD PURPOSES, RECORDED AUGUST 7, 1968 AS FILE NO. 133928 OF OFFICIAL RECORDS.

ALSO EXCEPTING THAT PORTION LYING WITHIN GROVE STREET, BEING THE NORTHERLY 30 FEET OF THE ABOVE DESCRIBED LAND.

ALSO EXCEPTING ALL THAT PORTION OF LOT 14 OF TIBBETT'S TRACT, ACCORDING TO MAP NO. 24 OF LICENSED SURVEY, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 25, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE EAST 13.5 RODS OF LOT 14; THENCE SOUTH $89^{\circ} 55' 00''$ WEST ALONG THE NORTH LINE OF SAID LOT 14, A DISTANCE OF 42.76 FEET; THENCE SOUTH $00^{\circ} 26' 00''$ WEST, 382.51 FEET TO THE SOUTH LINE OF THE NORTH 25 RODS OF SAID LOT 14; THENCE NORTH $89^{\circ} 55' 00''$ EAST ALONG SAID SOUTH LINE 46 FEET TO THE SOUTHWEST CORNER OF THE EAST 13.5 RODS OF THE NORTH 25 RODS OF SAID LOT 14; THENCE NORTH $00^{\circ} 01' 00''$ WEST ALONG THE WEST LINE OF SAID EAST 13.5 RODS TO THE PLACE OF BEGINNING.

MM/TM/DS/DW/slf