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ORDINANCE NUMBER O- 19212 (NEW SERIES) CITY CLERKS OFFICE
SAN DIEGO, CA

ADOPTED ON SEP 02 2003

AN ORDINANCE AMENDING SAN DIEGO ORDINANCE NO. O-18766 (FEB. 22, 2000) 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, the City-owned land, described as Mid-City Athletic Area and designated for public park use, was set aside and dedicated in perpetuity for park and recreation purposes by City Council action on February 22, 2000 (San Diego Ordinance No. O-18766) [Ordinance No. O-18766]; and

WHEREAS, the City Council has the powers, rights and privileges to enact, amend, or enforce any ordinance in respect to municipal affairs as it deems appropriate; and

WHEREAS, the legal description attached to Ordinance No. O-18766 was in error, in that it included certain parcels not intended to be dedicated; and

WHEREAS, a California registered land surveyor has reviewed and approved the parcel maps and legal descriptions incorporated herein as Exhibits A and B respectively as accurate; and

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 identified the "Mid-City Athletic Area," illustrated in Exhibit C, and recommends that this park be dedicated by ordinance; NOW, THEREFORE,

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

Section 1. That Ordinance No. O-18766 is amended by deleting the legal description originally attached as Exhibit A and by substituting Exhibits A, B, and C, attached hereto and incorporated herein by this reference.

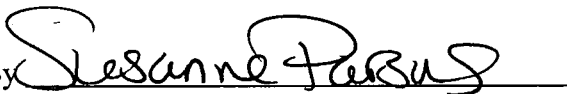
Section 2. That the City Council reaffirms the dedication of the Mid-City Athletic Area as described in Exhibits A, B, and C, and that such land is set aside and dedicated in perpetuity for park and recreational purposes, and that the name of the Mid-City Athletic Area is renamed to Sunshine Berardini Field.

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

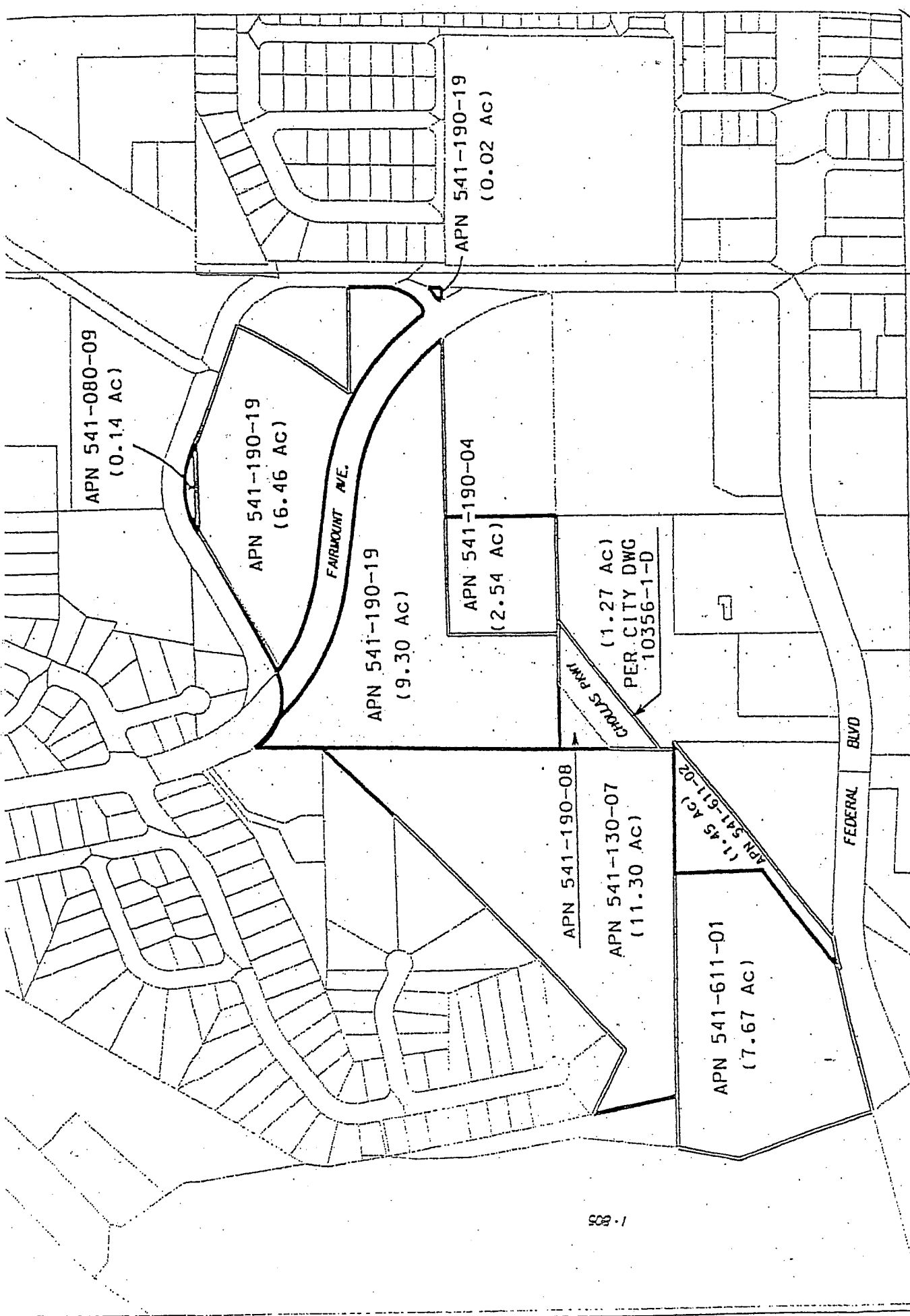
By 

Susanne M. Parsons
Deputy City Attorney

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08/01/03 COR.COPY
08/04/03 COR.COPY2
08/05/03 REV.
Or.Dept:Park&Rec
O-2004-14
Form=codeo.frm

EXHIBIT A

0-19212



APN 541-080-09
(0.14 AC)

APN 541-190-19
(6.46 AC)

FAIRMOUNT AVE.

APN 541-190-19
(9.30 AC)

APN 541-190-04
(2.54 AC)

(1.27 AC)
PER CITY DWG
10356-1-D

APN 541-190-08

APN 541-130-07
(11.30 AC)

APN 541-611-02
(1.45 AC)

APN 541-611-01
(7.67 AC)

APN 541-190-19
(0.02 AC)

FEDERAL BLVD

GRIGGS PKWY

MID-CITY ATHLETIC AREA
EXHIBIT A

1-803

0-19212

EXHIBIT B

0-19212

EXHIBIT B

Parcel 17
(Mid-City Athletic Area)

Assessor's parcel number: 541-611-01

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 the Map thereof No. 283, filed in the Office of the County Recorder of San Diego County on March 9, 1878, as follows :

Commencing at the Northwest corner of Lot 19 of said Map No. 283; Thence South 89°11'31" East 221.83 feet along the North line of said Lot 19, to the True Point of Beginning; Thence continuing South 89°11'31" East 772.68 feet; Thence South 00°25'49" West 232.05 feet; Thence South 53°48'44" West 353.83 feet to an intersection with the North line of Federal Blvd. as dedicated for public street purposes per book 1309, page 43 of Official Records of San Diego County; Thence South 77°04'41" West 408.44 feet to an intersection with the Easterly line of the Cal-Trans Right of Way for I-805 (MS 748) as described in deed to the State of California, recorded March 8, 1972 as File No. 55466; of Official Records; Thence North 18°28'47" West 381.20 feet, along said Easterly line; Thence North 10°29'38" East 184.74 feet, to the True Point of Beginning.

The above described parcel containing (7.67) Acres

TOGETHER WITH:

Assessor's parcel number: 541-511-02

Lot No. 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, per deed recorded December 30, 1985 as Document No. 85-493488.

The above described parcel containing (1.45) Acres

TOGETHER WITH:

Assessor's parcel number: 541-190-08 & PORTION OF CHOLLAS PARKWAY

That portion of the South Half of the Southwest Quarter of Lot 13 of Horton's Purchase in the Ex-Mission Land of San Diego in the City of San Diego, County of San Diego, State of California, according to Map thereof 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, distant thereon North 00°18'15" West 38.48 feet from the Southwesterly Comer of said Lot 13; Thence North 51°41'15" East 478.77 feet to the Northerly line of said South half of Lot 13.

The above described parcel containing (1.27) Acres

TOGETHER WITH:

Assessor's parcel number: 541-190-04

The North Half of the South Half 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 the Map thereof No. 283, filed in the office of the County Recorder of said County, March 9, 1878, per deed recorded April 3, 1986 as Document No. 86-128598, Excepting therefrom the West 2-1/2 acres and the East Half thereof. Also, being the Northeasterly 1/4 of the Southwesterly 1/4 of said Lot 13.

The above described parcel containing (2.54) Acres.

TOGETHER WITH:

Assessor's parcel number: 541-190-19

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 the Map thereof No. 283, filed in the Office of the County Recorder of San Diego County on March 9, 1878, described as follows:

The Northwest Quarter of the Southwest Quarter of said Lot 13.

The North one-half of Lot 13 of said Map No. 283.

Excepting therefrom that portion of said Lot 13 lying within the boundaries of Fairmount Avenue as dedicated by the San Diego City Council on July 15, 1999, per Resolution No. 291844, also excepting therefrom that portion of said Lot 13 lying Northerly and Easterly of the Southerly and Westerly Right-of-Way line of Fairmount Avenue as dedicated per deed recorded April 6, 1927, in book 1345, page 162 Official Records.

Excepting therefrom that portion conveyed to the Paul and Donna May Trust, per deed recorded September 19, 1980 as Document No. 80-305255, Official Records, being Assessor's Parcel Number 541-190-16.

The above described parcel containing (15.78) Acres.

TOGETHER WITH:

Assessor's Parcel Number: 541-080-09

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 the Map thereof No. 283, filed in the Office of the County Recorder of San Diego County on March 9, 1878, as follows :

Commencing at the Northwest corner of Lot 19 of said Map No. 283; Thence South $89^{\circ}11'31''$ East 1,104.19 feet along the North line of said Lot 19 to the West line of Lot 13 of Said Map 283; Thence North $00^{\circ}51'24''$ East 1,324.64 feet, to the North line of said Lot 13; Thence South $89^{\circ}05'28''$ East along said North line 619.50 feet to the True Point of Beginning; Thence North $62^{\circ}12'37''$ East 26.23 feet to the beginning of a curve, concave southerly, having a radius of 195.00 feet; Thence Easterly along the arc of said curve a distance of 163.02 feet, through a central angle of $47^{\circ}54'00''$; Thence South $69^{\circ}53'23''$ East 78.16 feet to an intersection with the North line of said Lot 13; Thence North $89^{\circ}05'28''$ West 254.59 feet, to the True Point of Beginning.

The above described parcel containing (0.14) Acres.

TOGETHER WITH

Assessor's Parcel Number: 541-130-07

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 the Map thereof No. 283, filed in the Office of the County Recorder of San Diego County on March 9, 1878, as follows :

Commencing at the Northwest corner of Lot 19 of said Map No. 283; Thence South $89^{\circ}11'31''$ East 377.22 feet along the North line of said Lot 19 to the True Point of Beginning; Thence North $09^{\circ}58'31''$ West 242.01 feet; Thence South $62^{\circ}42'00''$ East 204.92 feet; Thence North $44^{\circ}32'10''$ East 1,174.16 feet, to an intersection with the West line of Lot 13 of Said Map 283; Thence South $00^{\circ}51'24''$ West 994.81 feet, along said West line to the North line of above said Lot 19; Thence North $89^{\circ}11'31''$ West 948.80 feet, along said North line

to the True Point of Beginning.

The above described parcel containing (11.30) Acres

The total land area for Mid-City Athletic Area dedication being 40.15 Acres.

See City of San Diego Drawing No. 31196-D.

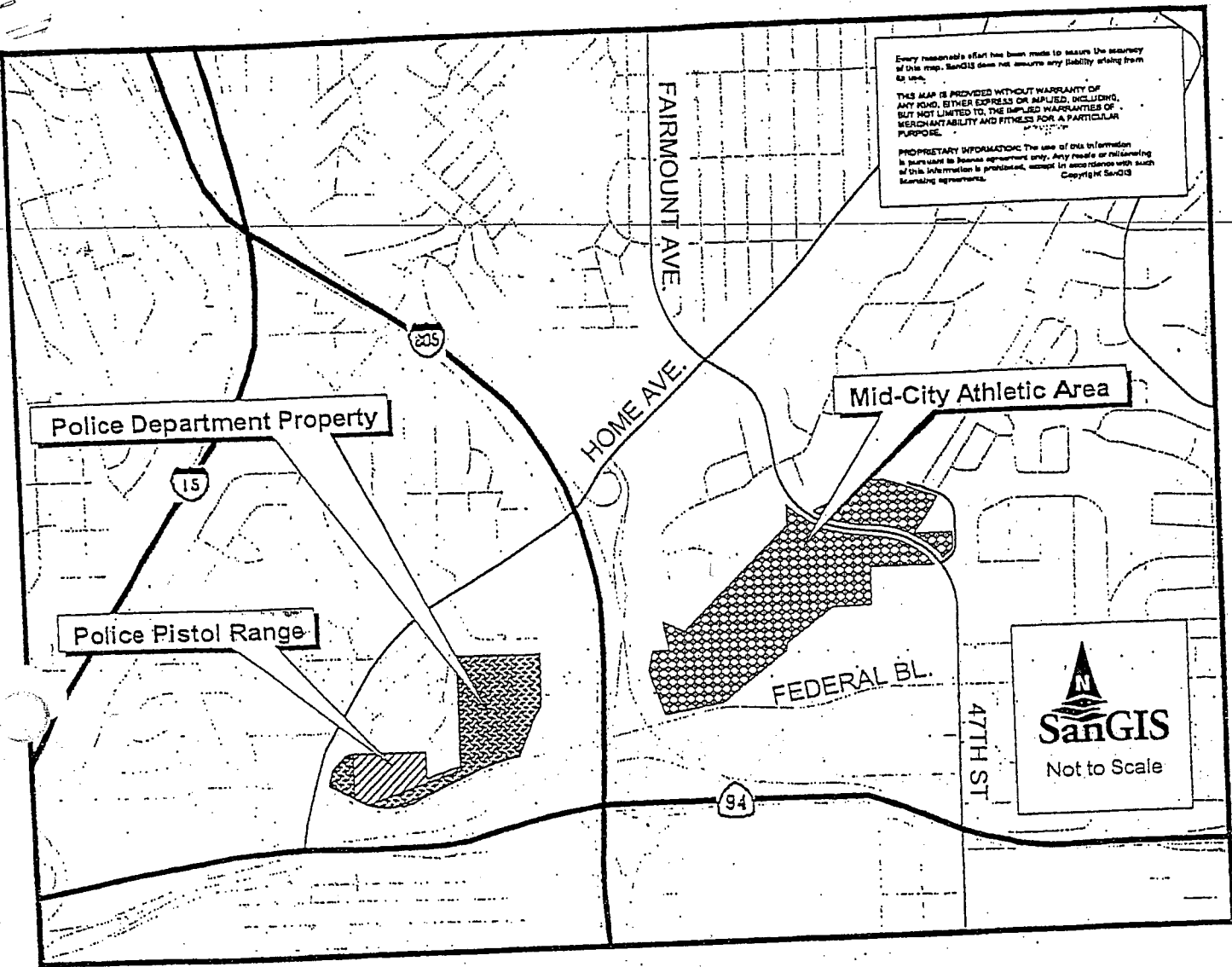
Frederick R. LePage 7/18/2003
Frederick R. LePage, PLS 7524 Date
Assoc. Land Surveyor, E&CP - Field Engineering Division
My registration expires: 12/31/2003



Filename: midcityathletic.doc
W.O.: 020084 & 110010 - 7/18/2003 (lec-frl)

EXHIBIT C

0-19212



Police Department Property and Mid-City Athletic Area

LOCATION MAP

EXHIBIT C