

ORDINANCE NUMBER O- 19757 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 13 2008

AN ORDINANCE TO AUTHORIZE SETTING ASIDE AND
DEDICATING CITY-OWNED LAND IN THE CITY OF SAN
DIEGO

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 anything 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 the open space as meeting the Charter and Policy requirements, and recommends that the park be dedicated by ordinance; NOW, THEREFORE,

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

Section 1. That various parcels of City-owned land, which is 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 hereby 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. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Marianne Greene
Marianne O. Greene
Deputy City Attorney

MOG:ca
04/28/08
Or.Dept: City Planning & Community Investment
O-2008-143

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUN 10 2008.

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk

Approved: 6.13.08
(date)

[Signature]
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

EXHIBIT 'A'

PARK DEDICATION

APN: 427-010-28 AND 427-020-31

THAT PORTION OF PUEBLO LOTS No. 1203 AND 1204 OF THE PUEBLO LANDS OF SAN DIEGO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF MADE BY JAMES PASCOE IN 1870 AND FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY OF SAN DIEGO ON NOVEMBER 14, 1921 AS MISCELLANEOUS MAP No. 36, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAID PUEBLO LOT No. 1204, LYING DISTANT NORTH 89°08'19" WEST 1355.05 FEET FROM THE SOUTHEAST CORNER THEREOF, SAID POINT BEING ON A 1551.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, A RADIAL TO SAID POINT BEARS NORTH 74°37'13" EAST, SAID CURVE BEING THE EASTERLY RIGHT OF WAY OF GENESEE AVENUE AS DEDICATED PER DOCUMENT RECORDED ON APRIL 28, 1977 AS F/P 77-159614 IN THE OFFICE OF SAID COUNTY RECORDER AND DESCRIBED IN CITY OF SAN DIEGO ORDINANCE No. 218163 ADOPTED APRIL 20, 1977; THENCE LEAVING THE SAID SOUTHERLY LINE OF PUEBLO LOT No. 1204 AND CONTINUING NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°56'24" A DISTANCE OF 431.50 FEET; THENCE NORTH 31°19'10" WEST 474.96 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE LEAVING THE SAID EASTERLY RIGHT OF WAY OF GENESEE AVENUE NORTH 58°40'50" EAST 41.82 FEET TO A POINT ON THE WESTERLY LINE AS DESCRIBED IN THE DEED DEDICATING KEARNY MESA PARK RECORDED JUNE 5, 1964 AS F/P 101885 IN THE OFFICE OF SAID COUNTY RECORDER AND DESCRIBED IN CITY OF SAN DIEGO ORDINANCE No. 9024 ADOPTED MAY 26, 1964; THENCE NORTHERLY ALONG THE SAID DEED DEDICATING KEARNY MESA PARK NORTH 25°37'20" WEST 156.23 FEET TO THE BEGINNING OF A 100.00 FOOT RADIUS CURVE, CONCAVE EASTERLY; THENCE NORTHERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 92°45'08" A DISTANCE OF 161.88 FEET TO THE BEGINNING OF A 1140.00 FOOT RADIUS COMPOUND CURVE, CONCAVE SOUTHERLY, A RADIAL TO SAID POINT BEARS NORTH 22°52'12" WEST; THENCE EASTERLY ALONG THE NORTHERLY LINE OF THE SAID DEED DEDICATING KEARNY MESA PARK AND ALONG THE ARC OF SAID COMPOUND CURVE THROUGH A CENTRAL ANGLE OF 10°08'26" A DISTANCE OF 201.76 FEET; THENCE NORTH 77°16'14" EAST 852.81 FEET TO THE BEGINNING OF A 2060.00 FOOT RADIUS CURVE, CONCAVE NORTHERLY; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°55'23" A DISTANCE OF 356.77 FEET; THENCE NORTH 67°20'51" EAST 421.07 FEET TO THE BEGINNING OF A 1340.00 FOOT RADIUS CURVE, CONCAVE SOUTHERLY; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 21°03'01" A DISTANCE OF 492.31 FEET TO THE SOUTHWEST CORNER OF PARCEL 'D' AS DESCRIBED IN LAND ACQUISITION TO SAN DIEGO COMMUNITY COLLEGE DISTRICT PER DOCUMENT No. 2007-0220330 RECORDED ON APRIL 03, 2007 IN THE OFFICE OF SAID COUNTY RECORDER; THENCE LEAVING THE NORTHERLY LINE OF THE SAID DEED DEDICATING KEARNY MESA PARK AND CONTINUING ALONG THE WEST LINE OF SAID PARCEL 'D' NORTH 01°40'00" WEST 209.75 FEET TO A POINT ON THE SOUTHERLY DEED LINE AS DESCRIBED IN DEED TO THE SAN DIEGO UNIFIED SCHOOL DISTRICT BY DEED RECORDED IN BOOK 7517 AT PAGE 274 IN THE OFFICE OF THE

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SAID COUNTY RECORDER, SAID POINT ALSO BEING ON THE ARC OF 1550.00 FOOT RADIUS CURVE, CONCAVE SOUTHERLY, A RADIAL TO SAID POINT BEARS NORTH 01°40'00" WEST; THENCE LEAVING THE WEST LINE OF SAID PARCEL 'D' AND CONTINUING WESTERLY ALONG THE SAID SOUTHERLY DEED LINE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°57'56" A DISTANCE OF 404.86 FEET; THENCE SOUTH 73°22'04" WEST 1836.48 FEET TO THE BEGINNING A 1350.00 FOOT RADIUS CURVE, CONCAVE SOUTHERLY; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°10'24" A DISTANCE OF 263.27 FEET TO A POINT ON THE SAID EASTERLY RIGHT OF WAY OF GENESEE AVENUE; THENCE LEAVING THE SAID SOUTHERLY DEED LINE AND CONTINUING SOUTHERLY ALONG THE SAID EASTERLY RIGHT OF WAY OF GENESEE AVENUE TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF SAID PUEBLO LOT 1204 AS DESCRIBED IN PARCEL 'F' LAND ACQUISITION PER DOCUMENT No. 2007-0220331 RECORDED ON APRIL 3, 2007 IN THE OFFICE OF THE SAID COUNTY RECORDER.

CONTAINS APPROXIMATELY 13.0436 ACRES OR 568178.63 SQUARE FEET, MORE OR LESS.

EXHIBIT 'B' (CITY OF SAN DIEGO DRAWING No. 20892-B) ATTACHED AND BY THIS REFERENCE IS MADE A PART HERETO.

Richard T. McCormick 4.24.2008

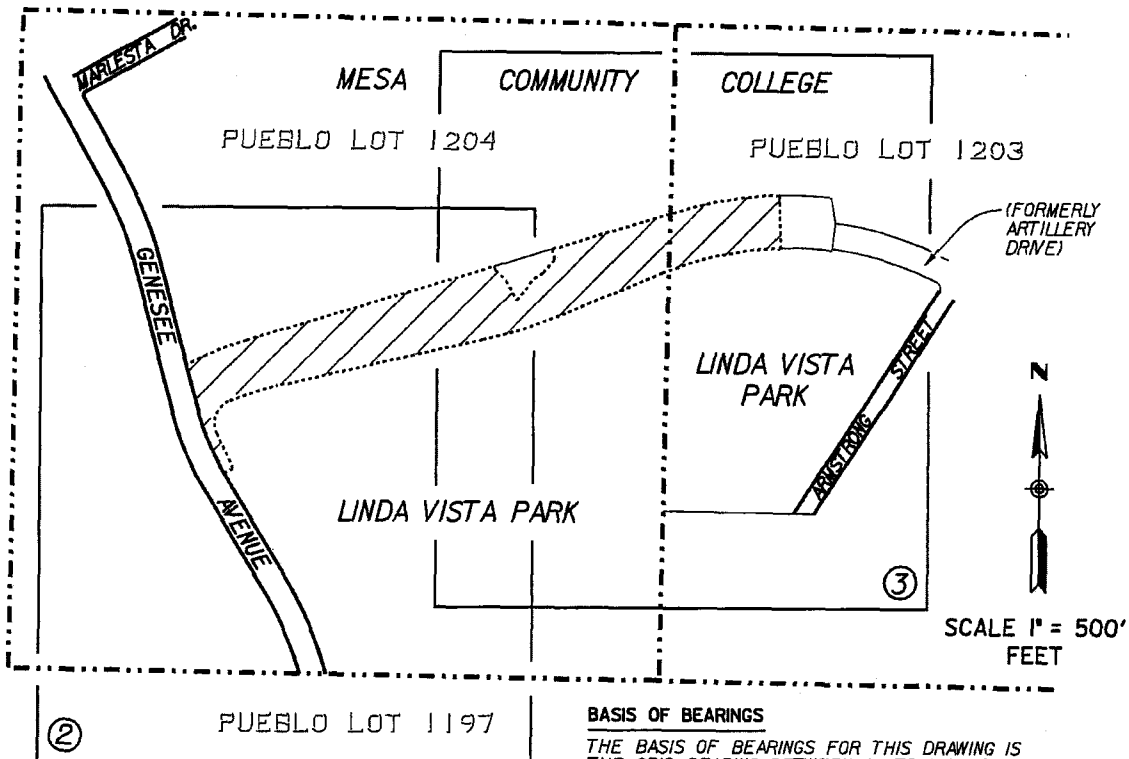
RICHARD T. McCORMICK, LS No. 7450
ASSOCIATE LAND SURVEYOR, FIELD ENGINEERING
CITY OF SAN DIEGO
MY REGISTRATION EXPIRES 12-31-2008



File:LV PARK LEGAL.doc
W.O. 007228-APRIL 2008

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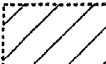
VICINITY MAP AND SHEET INDEX




LEGEND

P.O.B. POINT OF BEGINNING

T.P.O.B. TRUE POINT OF BEGINNING

 INDICATES PARK DEDICATION ACQUIRED. AREA- 13.0436 ACRES OR 568178.63 SQUARE FEET, MORE OR LESS.

 INDICATES SHEET NUMBER

ASSESSOR PARCEL No'S

427-010-28
427-020-31

OWNER

CITY OF SAN DIEGO

REFERENCES:

11577-AD, 14608-D, 20322-B
LS 259, PM 14444

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE GRID BEARING BETWEEN CONTROL POINTS 'JAY 2' AND 'NIRA-2' AS SHOWN ON CITY OF SAN DIEGO SURVEY FIELD NOTES BY ROBERTS, 228-1716, W/O *133028 DATED 12-12-1972. SAID BEARING IS BASED ON THE CALIFORNIA COORDINATE SYSTEM NAD 27, ZONE 6.

NOTE:

THE LEGAL DESCRIPTION LISTED BELOW AS DEED REFERENCE #1 CONTAINS NUMEROUS ERRORS. CITY ORDINANCE No. 9050 ADOPTED JULY 9, 1964, CORRECTED ONE OF THE DISTANCE ERRORS WITHIN THE LEGAL DESCRIPTION. HOWEVER, IN THE PROCESS OF CREATING THIS PARK DEDICATION, OTHER ERRORS WERE DISCOVERED. A GOOD PORTION OF THE LEGAL DESCRIPTION OF REFERENCE #1 IS NO LONGER THE NORTHERLY PARK BOUNDARY AND THUS THE ERRORS ARE NOT LISTED HEREON.

DEED REFERENCES:

- 1) CITY ORDINANCE No. 9024 ADOPTED MAY 26, 1964, AND RECORDED ON JUNE 5, 1964 AS F/P 101885 O.R.
- 2) DEED TO SAN DIEGO UNIFIED SCHOOL DISTRICT RECORDED IN BOOK 7517 AT PAGE 274 O.R.
- 3) LAND ACQUISITION RECORDED ON APRIL 3, 2007 AS DOC. No. 2007-0220330 O.R.
- 4) LAND ACQUISITION RECORDED ON APRIL 3, 2007 AS DOC. No. 2007-0220331 O.R.
- 5) GENESEE AVENUE DEDICATION RECORDED ON APRIL 28, 1977 AS F/P 159614 O.R.

PREPARED BY:

CITY OF SAN DIEGO ENGINEERING DEPARTMENT,
FIELD DIVISION - SURVEY SECTION, UNDER THE
DIRECTION OF RICHARD MCCORMICK, LS 7450,
ASSOCIATE LAND SURVEYOR.



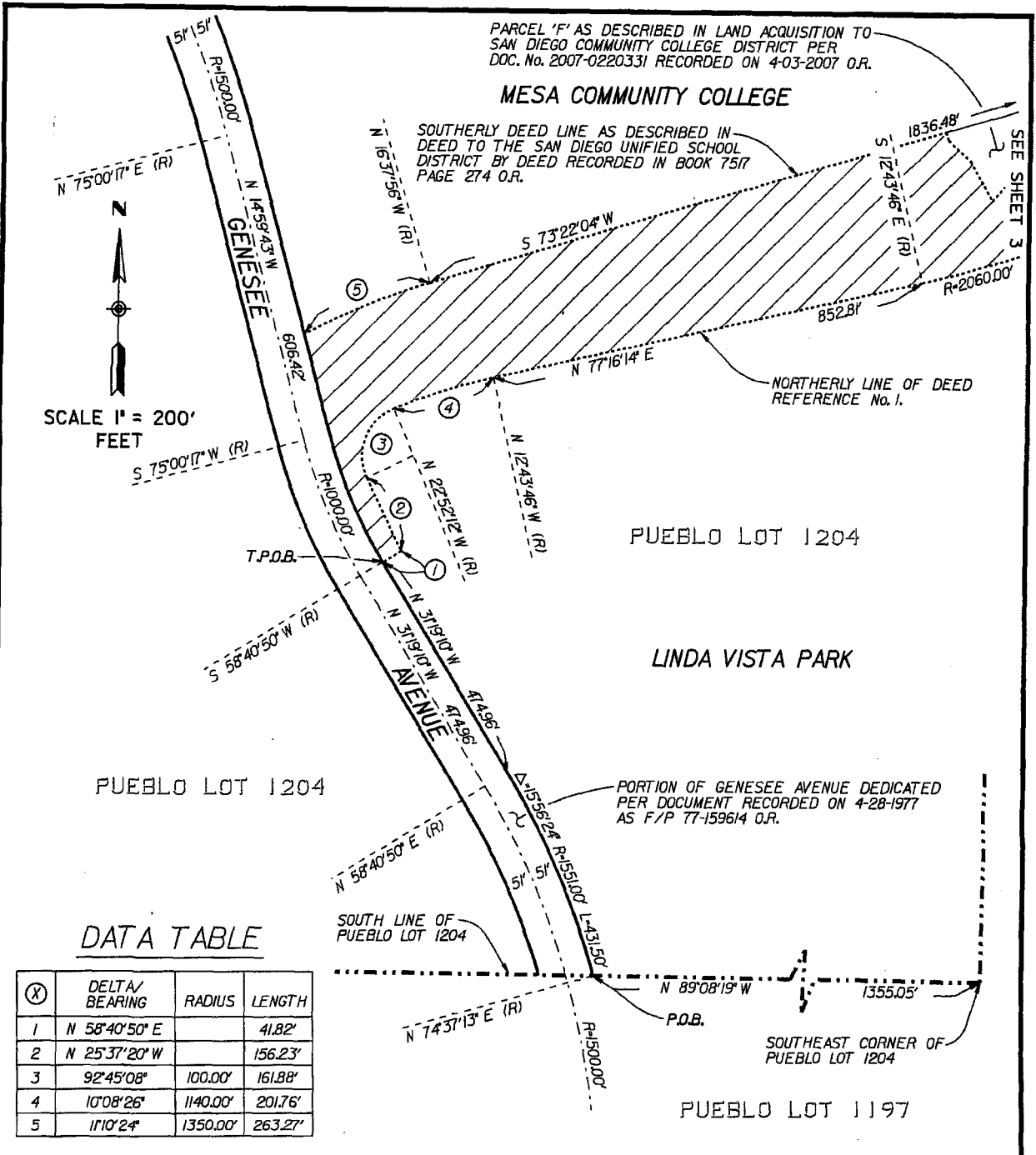
Richard T. McCormick 4-28-2008
SIGNATURE DATE

RESOLUTION No. _____
ADOPTED: _____
F/P: _____
RECORDED: _____

PARK DEDICATION - IN A PORTION OF PUEBLO LOTS 1203 AND 1204 PER MISCELLANEOUS MAP No. 36.

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	T.M.
ORIGINAL	RTMc		4-'08		SHEET 1 OF 3 SHEETS	007228
					FOR CITY ENGINEER	DATE
						232-1716
						LAMBERT COORDINATES
						20892 - B
					STATUS	

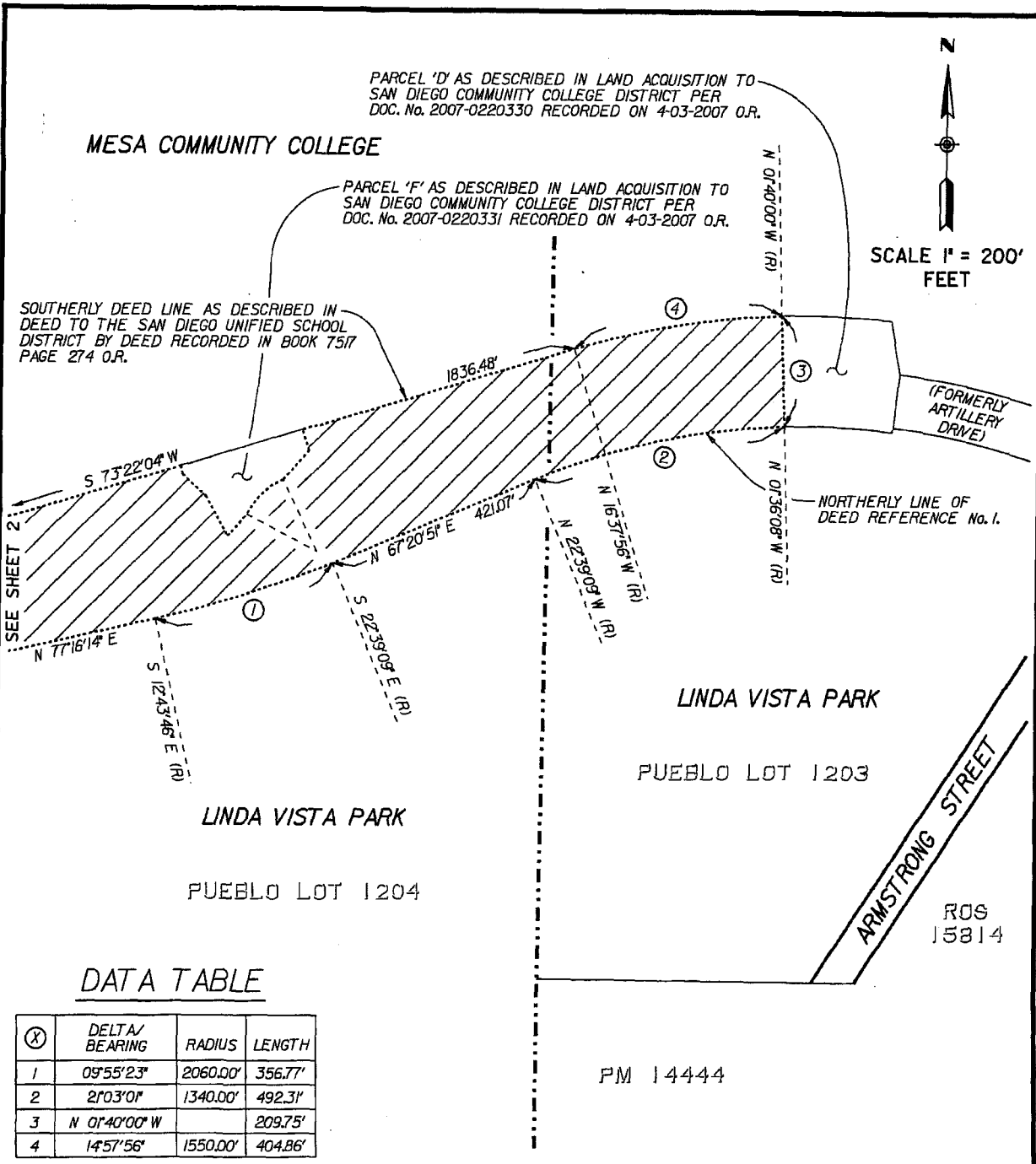
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PARK DEDICATION- IN A PORTION OF PUEBLO LOTS 1203 AND 1204 PER MISCELLANEOUS MAP No. 36.

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	T.M.
ORIGINAL	RTMg		4-'08		SHEET 2 OF 3 SHEETS	007228
					FOR CITY ENGINEER	DATE
						232-1716
						LAMBERT COORDINATES
						20892 - B
STATUS						

0-19757



PARK DEDICATION - IN A PORTION OF PUEBLO LOTS 1203 AND 1204 PER MISCELLANEOUS MAP No. 36.

DESCRIPTION	BY	APPROVED	DATE	FILMED
ORIGINAL	RTM		4-08	

CITY OF SAN DIEGO, CALIFORNIA

SHEET 3 OF 3 SHEETS

FOR CITY ENGINEER _____ DATE _____

T.M. _____

W.O. 007228

232-1716

LAMBERT COORDINATES

STATUS _____ 20892 - B

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