

ORDINANCE NO. O-15215  
(New Series)

MAR 10 1980

AN ORDINANCE AUTHORIZING THE REMOVAL FROM CEMETERY DEDICATION OF FIFTY-SEVEN (57) ACRES OF THAT PART OF MOUNT HOPE CEMETERY WHICH IS UNDEVELOPED AND IS NOT NEEDED FOR CEMETERY PURPOSES AND IS NORTH OF MARKET STREET, SO THAT SAID PROPERTY MAY BE UTILIZED THROUGH LEASE OR SALE FOR PURPOSES WHICH ARE CONSISTENT WITH THE COMMUNITY PLAN FOR SAID AREA, OR FOR NAVAL HOSPITAL PURPOSES, IF FOR ANY REASON THE BALBOA PARK NAVAL HOSPITAL IS NOT REBUILT IN BALBOA PARK.

WHEREAS, pursuant to ordinances enacted by the City Council, Charter provisions of The City of San Diego, and enactments of the Legislature of the State of California, certain real property within the city limits of The City of San Diego has been dedicated and is presently held for cemetery purposes and designated as Mount Hope Cemetery; and

WHEREAS, some fifty-seven (57) acres of such lands so dedicated and presently held for cemetery purposes included within Mount Hope Cemetery, and lying northerly of Market Street, are not presently being used for cemetery purposes; and

WHEREAS, said fifty-seven (57) acres are now lying fallow and it is in the best interests of the people of The City of San Diego that said fifty-seven (57) acres shall be put to an economic and beneficial use; and

WHEREAS, said fifty-seven (57) acres are not needed for cemetery purposes; NOW, THEREFORE,

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

Section 1. The City Manager of The City of San Diego be, and he is hereby authorized and empowered to lease or sell all or portions of that certain undeveloped real property lying northerly of Market Street, and comprising approximately fifty-seven (57) acres, included within the real property presently dedicated and held for cemetery purposes, and known as Mount Hope Cemetery, said fifty-seven (57) acres more or less being more particularly described as follows:

All that portion of pueblo Lot 1347 of the Pueblo lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by James Pascoe in 1870, a copy of which Map was filed in the Office of the Recorder of said San Diego County, November 14, 1921, and is known as Miscellaneous Map No. 36, described as follows:

Beginning at the intersection of the Westerly line of said Pueblo Lot 1347 with the Northerly line of Market Street, 100 feet wide, as said street is located and established as of the date of this instrument; thence Northerly along said Westerly line of Pueblo Lot 1347 to the South line of the North 38.35 acres of said Pueblo Lot 1347; thence East along said South line of the North 38.35 acres to the Easterly line of said Pueblo Lot 1347; thence Southerly along said Easterly line of said Pueblo Lot 1347 to the Northerly line of said Market Street; thence Westerly along said Northerly line of Market Street to the Point of Beginning.

EXCEPTING THEREFROM, all that portion, if any, lying within Wabash Boulevard and Federal Boulevard as said boulevards are located and established as of the date of this instrument.

Section 2. Any lease or sale of said real property or portions thereof shall be for purposes which are consistent with the Community Plan for said area, as said Plan may be amended

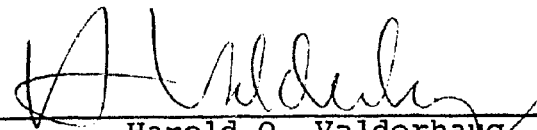
from time to time, or for Naval Hospital purposes if for any reason the Balboa Park Naval Hospital is not reconstructed in Balboa Park.

Section 3. Any prior ordinances of the City Council relating to the use of the above described property shall not be affected by this action unless and until the City Council shall take action to affect the same.

Section 4. This ordinance requires ratification by the voters and being related to elections is of the kind and character authorized for passage on its introduction by Sections 16 and 17 of the Charter.

Section 5. This ordinance shall become effective only after it is affirmatively approved by a two-thirds vote of the qualified electors of the City of San Diego voting at a Special Municipal Election to be held in said City on the 3rd day of June 1980, at which a proposition to ratify this ordinance shall be submitted.

APPROVED: JOHN W. WITT, City Attorney

By   
Harold O. Valderhaug  
Deputy City Attorney

HOV:SHS:rc:930.42 (x702.1)  
3/7/80  
Or. Dept.: Clerk

MAR 1 0 1980

Passed and adopted by the Council of The City of San Diego on \_\_\_\_\_  
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Rita Andrews, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on  
MAR 1 0 1980, said ordinance being of the kind and character  
authorized for passage on its introduction by Section 16 of the Charter.

~~I FURTHER CERTIFY that the final reading of said ordinance was in full.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not  
less than a majority of the members elected to the Council, and that there was available for the consideration  
of each member of the Council and the public prior to the day of its passage a written or printed copy of said  
ordinance.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Rita Andrews, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-15215 Adopted MAR 1 0 1980