

(RA-85-106)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NO. 1059

ADOPTED ON MARCH 12, 1985

A RESOLUTION DETERMINING AND DECLARING THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO REQUIRE THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE MARINA REDEVELOPMENT PROJECT IN LOTS "E," "F" AND "G" AND A PORTION OF LOT "H," BLOCK 90 OF HORTON'S ADDITION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA; AND THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY DEMAND THE ACQUISITION OF FEE TITLE TO SAID PROPERTY FOR SAID MARINA REDEVELOPMENT PROJECT; AND THAT AN OFFER TO ACQUIRE THE PROPERTY AT THE APPRAISED FAIR MARKET VALUE HAS BEEN MADE TO THE OWNERS OF RECORD OF THE PROPERTY AND REJECTED; AND

DECLARING THE INTENTION OF THE REDEVELOPMENT  
AGENCY OF THE CITY OF SAN DIEGO TO ACQUIRE  
SAID PROPERTY UNDER EMINENT DOMAIN  
PROCEEDINGS; AND DIRECTING THE GENERAL COUNSEL  
OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN  
DIEGO TO COMMENCE AN ACTION IN THE SUPERIOR  
COURT OF THE STATE OF CALIFORNIA, IN AND FOR  
THE COUNTY OF SAN DIEGO, FOR THE PURPOSE OF  
CONDEMNING AND ACQUIRING SAID PROPERTY.

WHEREAS, the Redevelopment Agency of The City of San Diego  
has provided notice to those persons designated in Section  
1245.235, Code of Civil Procedure and also has provided all  
persons a reasonable opportunity to appear and be heard on the  
matters referred to in Section 1240.030, Code of Civil Procedure;  
NOW, THEREFORE,

BE IT RESOLVED, by the Redevelopment Agency of The City of  
San Diego, as follows:

Section 1. That the public interest, convenience and  
necessity of the Redevelopment Agency of The City of San Diego,  
and the inhabitants thereof, require the removal of blight and  
the construction, operation and maintenance of the Marina  
Redevelopment Project in Lots "E," "F" and "G" and a portion of

Lot "H," Block 90 of Horton's Addition, as more particularly described hereinafter.

Section 2. That the public interest, convenience and necessity of the Redevelopment Agency of The City of San Diego, and the inhabitants of the City of San Diego, demand the acquisition and taking of fee title to said property for the removal of blight and the construction, operation and maintenance of the Marina Redevelopment Project, said real property lying within the City of San Diego, County of San Diego, State of California.

Section 3. That Section 220, the Charter of The City of San Diego; Sections 1240.010, 1240.110, 1240.120 and 1255.410, Code of Civil Procedure; and Section 33000 et seq., Health & Safety Code permit the acquisitions referenced herein.

Section 4. That the parcels of real property sought to be condemned are described as follows:

Lots "E," "F" and "G" and the South 15 feet of Lot "H," Block 90 of Horton's Addition in the City of San Diego, County of San Diego, State of California, according to Map on file in the Office of the County Recorder of San Diego County.

Section 5. That the taking and acquiring by said Redevelopment Agency of The City of San Diego of the real

property hereinabove described are deemed necessary for the removal of blight and the construction, operation and maintenance of the Marina Redevelopment Project by the Redevelopment Agency of The City of San Diego and the inhabitants of the City of San Diego, for municipal purposes; that such use is a public use authorized by law (Section 220, Charter of The City of San Diego; Sections 1240.010, 1240.110, 1240.120 and 1255.410, Code of Civil Procedure; and Section 33000 et seq., Health & Safety Code); that for such public use it is necessary for the Redevelopment Agency of The City of San Diego condemn and acquire said real property; that said real property is to be used for the removal of blight and the construction, operation and maintenance of the Marina Redevelopment Project which is planned and located in a manner most compatible with the greatest public good and the least private injury; and that an offer to acquire the property at the appraised fair market value has been made to the owners of record of the property and rejected.

Section 6. That the General Counsel of the Redevelopment Agency of The City of San Diego be, and he is hereby authorized and directed to commence an action in the Superior Court of the State of California, in and for the County of San Diego, in the name and on behalf of the Redevelopment Agency of The City of San Diego, against all owners and claimants to an interest in the

above described real property, for the purpose of condemning and acquiring the fee interests as above-described, for the use of said Redevelopment Agency of The City of San Diego.

APPROVED: John W. Witt, General Counsel

By

Susan Hinz

Deputy Counsel

SH:vtc:613.3

3/7/85

Or.Dept:CCDC

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