

(RA-85-120)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NO. 1072

ADOPTED ON APRIL 9, 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 THE EAST 80 FEET OF LOT "G" AND THE EAST 80 FEET OF THE SOUTH 14.90 FEET OF LOT "H" AND THE NORTH 35 FEET OF LOT "H" AND ALL OF LOTS "I," "J," "K," AND "L" IN 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 "I", "J", "K" and "L" and a portion of Lots "G" and "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:

The east 80 feet of Lot "G" and the east 80 feet of the south 14.90 feet of Lot "H" and the north 35 feet of Lot "H" and all of Lots "I", "J", "K" and "L" in Block 90, 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 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 consisting of approximately  
192 residential units, 15,000 square feet of retail use and  
parking for approximately 240 automobiles 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 to 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:hc:613.4

4/5/85

Or.Dept:Atty.

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