

(RA-87-93)
REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO
RESOLUTION NO. 1469
ADOPTED ON APRIL 28, 1987

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 COLUMBIA REDEVELOPMENT PROJECT IN LOTS 6 & 7, OF R.A. THOMAS' RESUBDIVISION OF WHAT IS KNOWN AS BLOCK "C" OF MURRAY TRACT, MIDDLETOWN, TOGETHER WITH THAT PORTION OF THE SOUTHERN HALF OF THE ALLEY ADJOINING SAID LOTS 6 & 7 ON THE NORTH, WHICH WOULD REVERT BY OPERATION OF LAW; THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY DEMAND THE ACQUISITION OF FEE TITLE TO SAID PROPERTY FOR SAID COLUMBIA REDEVELOPMENT PROJECT; THE PROPOSED PROJECT IS PLANNED IN A MANNER THAT WILL BE MOST COMPATIBLE WITH THE GREATEST PUBLIC GOOD AND LEAST PRIVATE INJURY; IT IS THE INTENTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO TO ACQUIRE SAID PROPERTY INTERESTS UNDER EMINENT DOMAIN PROCEEDINGS; TAKING AND ACQUIRING SAID PROPERTY INTERESTS UNDER EMINENT DOMAIN PROCEEDINGS ARE DEEMED NECESSARY; THE ACQUISITION BY EMINENT DOMAIN IS AUTHORIZED BY LAW; AN OFFER TO ACQUIRE SAID PROPERTY INTERESTS AT THE APPRAISED MARKET VALUE HAS BEEN MADE TO THE RECORD OWNER(S) OF THE SUBJECT PROPERTY AND THEREAFTER REJECTED; 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. 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 Columbia Redevelopment Project in Lots 6 & 7 of R.A. Thomas' Resubdivision of what is known as Block "C" of Murray Tract, Middletown, together with that portion of the southerly half of the alley adjoining said Lots 6 & 7 on the north, as more particularly described hereinafter.

Section 2. 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 title in fee simple absolute to said property for the removal of blight and the construction, operation, and maintenance of the Columbia Redevelopment Project, said real property lying within the City of San Diego, County of San Diego, State of California.

Section 3. These said property interests are to be used for new office and hotel opportunities for residents of San Diego in a manner that will be most compatible with the greatest public good and least private injury since the subject project is planned according to the adopted Centre City Community Plan calling for the removal of blight and revitalization of the Centre City area by bringing in office and hotel uses.

Section 4. It is necessary that the Redevelopment Agency of The City of San Diego acquire full property interests under eminent domain proceedings for construction, operation, and maintenance of the Columbia Redevelopment Project.

Section 5. Taking and acquiring full property interests to the real property hereinafter described, under eminent domain proceedings, by the Redevelopment Agency of The City of San Diego, are deemed necessary for the removal of blight and the construction, operation and maintenance of the Columbia Redevelopment Project, said real property lying within The City of San Diego, County of San Diego, State of California.

Section 6. The Constitution of California, Article I, Section 19; The Charter of The City of San Diego, Article XIV, Section 220; The California Code of Civil Procedure Sections

1240.010, 1240.110, 1240.120, and 1255.410, and The California Health and Safety Code Sections 33000, et seq., authorize the acquisition by eminent domain referenced herein.

Section 7. The parcel of real property sought to be condemned is described as follows:

Lots 6 & 7 of R.A. Thomas' Resubdivision of what is known as Block "C" of Murray Tract, Middletown, in the City of San Diego, County of San Diego, State of California according to the Map thereof No. 45, filed in the Office of the Recorder of San Diego County, June 9, 1887. Together with that portion of the southerly half of the alley shown on said Map adjoining said Lots 6 & 7 on the north which would revert by operation of law.

Section 8. An offer to acquire said property interests based upon an appraisal report prepared by an appraiser authorized to make such an appraisal report was made pursuant to California Government Code Section 7267.2 to the record owner of the hereinabove described real property and thereafter rejected by operation of law.

Section 9. 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

Alan L. Geraci
Deputy Counsel

ALG:tg:Lit.

03/31/87

Or.Dept:Prop.

RA-87-93