

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:  
REDEVELOPMENT AGENCY OF  
THE CITY OF SAN DIEGO

Security Pacific Plaza  
1200 Third Avenue, Suite 1600  
San Diego, CA 92101

Attention:

Keith C. Scott                      SPACE ABOVE THIS LINE  
Redevelopment Coordinator              FOR USE OF RECORDER  
(RA-92-106)

REDEVELOPMENT AGENCY OF  
THE CITY OF SAN DIEGO  
RESOLUTION NO. 2089  
ADOPTED ON MAY 5, 1992

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF  
THE CITY OF SAN DIEGO DECLARING CERTAIN  
PROPERTY WITHIN THE CITY HEIGHTS  
REDEVELOPMENT PROJECT AREA TO BE EXEMPT FROM  
ACQUISITION BY EMINENT DOMAIN WITH SPECIFIED  
EXCEPTIONS.

WHEREAS, the City Council of The City of San Diego (the "City Council") may approve and adopt the Redevelopment Plan (the "Redevelopment Plan") for the City Heights Redevelopment Project (the "Project"), on or before the effective date of this resolution; and

WHEREAS, this Redevelopment Agency of The City of San Diego (the "Agency") is given the responsibility to engage in activities necessary and appropriate to carry out and implement such Redevelopment Plan; and

WHEREAS, the Redevelopment Plan, among other things, contemplates the preservation, rehabilitation and revitalization of residential neighborhoods within the Project area; and

WHEREAS, a certain portion of the Project area (the "Property") as illustrated on the Property map (attached hereto and incorporated herein as Exhibit A), and as legally described as the Legal Description of Property (attached hereto and incorporated herein as Exhibit B), is currently utilized primarily for residential purposes, although zoned

for commercial use; and

WHEREAS, in order to most effectively implement the Redevelopment Plan, the Agency desires to provide stability in the use of the Property as a residential area prior to the time, if any, when it may transition in whole or in part to permitted commercial uses; and

WHEREAS, the Agency is of the opinion that the preservation, rehabilitation and revitalization of the Property can be accomplished with its powers and authority under the Redevelopment Plan, such as to control land uses, make loans and grants and install public improvements, without as a general rule, acquiring the Property, or any portion thereof, by eminent domain; NOW, THEREFORE,

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

1. The Agency hereby declares that the Property, and each portion thereof, shall be exempt from acquisition by eminent domain by the Agency under the Redevelopment Plan; provided, however, that eminent domain shall be allowed for (a) public projects; (b) removal of chronic code violations, based upon findings of fact made by the Agency at a noticed public hearing, which findings shall be conclusive; (c) removal of chronic crime problems, based upon findings of fact made by the Agency at a noticed public hearing, which findings shall be conclusive; and (d) preservation of significant cultural and historical resources as determined by the San Diego Historical Site Board.

2. This resolution shall be effective upon the effective date of the ordinance approving and adopting the Redevelopment Plan for the Project.

3. The Executive Director of the Agency, or his designee, is hereby authorized and directed to record a copy of this resolution in the official records of the County Recorder of San Diego County, California, promptly following the effective date of this resolution.

APPROVED: JOHN W. WITT, General Counsel

By

Allisyn L. Thomas

Deputy Counsel

ALT:lc

05/01/92

Or.Dept:EDD

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