

RESOLUTION NO. 204334

DEC 7 1971

WHEREAS, the Division of Highways, Department of Public Works, State of California is in the process of acquiring rights of way for the purpose of the construction of State Highway 94/805 Interchange, in the City of San Diego; and

WHEREAS, portions of said proposed freeway cross portions of Lots 12, 19 and 20, of Horton's Purchase of the Ex-Mission Lands of San Diego, according to Map thereof No. 283, filed March 9, 1878, in the office of the San Diego County Recorder, owned by The City of San Diego, and said Division of Highways, Department of Public Works, State of California, desires to purchase said City-owned property for said proposed freeway, together with drainage easements in said Lots 19 and 20 and a temporary construction easement in a portion of said Lot 20; and

WHEREAS, Section 22.0907 of the San Diego Municipal Code authorizes the conveyance of City property to public agencies for public purposes without complying with the provisions relating to the advertising for bids and auction sales contained in the Municipal Code; and

WHEREAS, said Division of Highways, Department of Public Works, State of California, has appraised said property, and has offered to pay to the City the sum of Eighty-Five Thousand Three Hundred Dollars (\$85,300.00) for a grant deed conveying said City-owned property, drainage easements and temporary easement, as more particularly described in said grant deed; and

WHEREAS, said appraisal has been reviewed and approved by the Property Director of said City; and

WHEREAS, the City Manager, pursuant to Section 22.0907 of the San Diego Municipal Code, has recommended that said property be sold to the State of California for the amount hereinabove recited; NOW, THEREFORE,

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

1. That the City Manager of said City be, and he is hereby authorized and empowered to execute, for and on behalf of The City of San Diego, a Right of way Contract-- State Highway No. 045842, with the State of California, Department of Public Works, Division of Highways, covering the sale by the City to the State of California of portions of Lots 12, 19 and 20, of Horton's Purchase of the Ex-Mission Lands of San Diego, according to Map thereof No. 283, filed March 9, 1878, in the office of the San Diego County Recorder, together with drainage easements in said Lots 19 and 20 and a temporary construction easement in a portion of said Lot 20, as more particularly described in said Right of Way Contract, for the proposed route of State Highway 94/805 Interchange in said City, under the terms and conditions set forth in the form of agreement, on file in the office of the City Clerk as Document No. 738251.

2. That the Mayor and the City Clerk of The City of San Diego be, and they are hereby authorized and empowered to execute, for and on behalf of, and as the act and deed of, The City of San Diego, a grant deed, the form of which

is on file in the office of the City Clerk as Document No. 738252, conveying to the STATE OF CALIFORNIA, a corporation sovereign, all of said City's interest in portions of Lots 12, 19 and 20, of Horton's Purchase of the Ex-Mission Lands of San Diego, according to Map thereof No. 283, filed March 9, 1878, in the office of the San Diego County Recorder, together with drainage easements in said Lots 19 and 20 and a temporary construction easement in a portion of said Lot 20, as more particularly described in said form of grant deed.

3. That the City Clerk is hereby authorized and directed to deliver said Right of Way Contract and said grant deed, together with a certified copy of this resolution, to the Property Director of said City for further handling.

APPROVED: JOHN W. WITT, City Attorney

By 
Larry L. Marshall, Deputy

rb/11-22-71
Job: 8712 WHP

Received City Clerk's office
1971 Dec. 1 11:20 a.m.

Passed and adopted by the Council of The City of San Diego on **DEC 7 1971**,
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<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"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jim Bates	<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)

EDWARD NIELSEN
City Clerk of The City of San Diego, California.

By *Judith A. Wilson*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **204334** Adopted **DEC 7 1971**