

R-75-2504

RESOLUTION NO. 213336

MAY 22 1975

WHEREAS, The City of San Diego is the owner of a certain easement for sewer purposes affecting Lot 13, Block D, Starkey's Prospect Park, as granted to the City by Deed recorded on March 27, 1947 in Book 2343, Page 436, Official Records, in the San Diego County Recorder's Office; and

WHEREAS, the Engineering and Development Department has requested that the City quitclaim to ANDREW R. KENNEDY, and JOHN F. and IVA V. LINGENFELTER, husband and wife, City's interest in and to said easement to allow better utilization of the property; and

WHEREAS, said easement has never been used for the purpose for which it was intended; and

WHEREAS, the City desires to negotiate the sale of said easement to ANDREW R. KENNEDY and JOHN F. and IVA V. LINGENFELTER, under the provisions of Section 22.0902 (e) of the San Diego Municipal Code which permit the sale of real property belonging to The City of San Diego by negotiation; and

WHEREAS, the sale of such an interest in real property as this may reasonably be accomplished only by negotiation; and

WHEREAS, this action is exempt from the provisions of the California Environmental Quality Act of 1970 under City guidelines for implementation of said Act, as amended; and

WHEREAS, the value of the property right sought, as determined by a staff appraiser of said City, is the sum of sixty-five dollars (\$65.00); and

WHEREAS, no real estate broker's commission shall be paid; and
WHEREAS, the sale of the aforementioned property right is consistent with the public interest; NOW, THEREFORE,

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

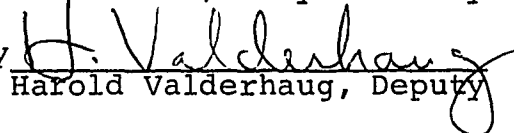
1. That that certain real property right described in that form of quitclaim deed on file in the office of the City Clerk as Document No. 751361, be, and the same is hereby authorized to be sold by negotiation for the sum of sixty-five dollars (\$65.00) to ANDREW R. KENNEDY and JOHN F. and IVA V. LINGENFELTER.

2. That the Mayor and the City Clerk of said City be, and they are hereby authorized and empowered to execute, for and on behalf of The City of San Diego, a quitclaim deed, the form of which is on file in the office of the City Clerk as Document No. 751361 quitclaiming to ANDREW R. KENNEDY and JOHN F. and IVA V. LINGENFELTER, an easement for sewer purposes affecting Lot 13, Block D, Starkey's Prospect Park, as more particularly described in said form of quitclaim deed.

3. That no broker's commission shall be paid by City on the herein-described negotiated sale.

4. That the City Clerk of said City is hereby authorized and directed to deliver said deed and a certified copy of this resolution to the Property Director for further handling.

APPROVED: JOHN W. WITT, City Attorney

By 
Harold Valderhaug, Deputy

HOV:nr
5-2-75
Job:10685-C
Or. Dept. Property

MAY 22 1975

Passed and adopted by the Council of The City of San Diego on _____,
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<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 *Patricia Polen*, Deputy.

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CITY CLERK'S OFFICE
1975 MAY 14 AM 8 49
SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution Number **213336** Adopted **MAY 22 1975**