

RESOLUTION NO. 214845

DEC 10 1975

WHEREAS, in 1958 when the subdivision map for Mission Valley Shopping Center was approved, it was anticipated that a future flood control channel would traverse the property and the property owner stipulated that in the event the City took all or a portion of the property shown as being needed for a future flood control channel that the compensable damages for such taking would not exceed the fair market value (based upon its highest and best use under R-1A zoning only) of such acquired premises as of March 1, 1958, adjusted to reflect any differential in the purchasing power of money between March 1, 1958 and the date of taking; and

WHEREAS, the Declaration of Restrictions which contained the above provisions further states that in the event that any portion of the described property has not been taken by the City on or before December 31, 1975, all force and effect of the Declaration of Restrictions shall terminate; and

WHEREAS, the City Council has determined that it is desirable to acquire approximately 52 acres of said subdivision property for the purpose of constructing flood control facilities thereon; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager is hereby authorized and directed to purchase a portion of the Mission Valley Shopping Center consisting of approximately 52 acres under the terms set out in the Declaration of Restrictions made the third day of July 1958 and filed in the office

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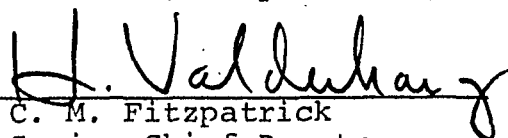
of the County Recorder March 8, 1967, as Document No. 67-31865 for the development of flood control facilities.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized and directed to give written notification to the San Diego office of Title Insurance and Trust Company of the City's intent to acquire said property and the City Manager is hereby authorized to open an escrow with Title Insurance for the purchase of said property.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized and directed to tender an offer in the amount of \$511,000 for the property based upon the amount of \$9,850 per acre for 52 acres, which per acre figure is based on the highest and best use of the property in R-1A zoning as of March 1, 1958 adjusted to the differential in purchasing power of lawful money between March 1, 1958 and December 10, 1975, as determined by the Consumer Price Index as published in a monthly Labor Review of the U. S. Labor Department's Bureau of Labor Statistics.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized and directed to proceed with the preparation of a plat and plans for the improvement of flood control facilities between Camino de la Siesta and Camino del Este.

APPROVED: JOHN W. WITT, City Attorney

By   
for C. M. Fitzpatrick  
Senior Chief Deputy

CMF:vl  
12/12/75

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214845 MAY 22 1978

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Passed and adopted by the Council of The City of San Diego on DEC 10 1975,  
 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 type="checkbox"/>	<input checked="" 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"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input type="checkbox"/>	<input checked="" 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.

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

By Kathleen Martinez, Deputy.

(Seal)

RECEIVED  
 CITY CLERK'S OFFICE  
 1975 DEC 15 PM 2:57  
 SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California	
Resolution Number <u>214845</u>	Adopted <u>DEC 10 1975</u>

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 MAY 22 1978  
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