

FEB 5 1979

WHEREAS, The City of San Diego is the owner of a sewer easement affecting Pueblo Lots 1173 and 1182 of the Pueblo Lands of San Diego; and

WHEREAS, the Property Department has requested that the City quitclaim to H. G. FENTON MATERIAL COMPANY, a California corporation, its interest in and to said easement; and

WHEREAS, the owner of the property wishes to clear title to its property; and

WHEREAS, the herein described property is surplus to City needs; 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 City desires to negotiate the sale of said easement to H. G. FENTON MATERIAL COMPANY, a California corporation, under the provisions of Section 22.0902 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 by negotiation; and

WHEREAS, the value of the property, as determined by Staff, is the sum of Nine Thousand Four Hundred Thirty-Five Dollars (\$9,435), but on February 23, 1973, the City acquired a sewer easement from H. G. FENTON MATERIAL COMPANY, a California corporation, to replace the easement proposed to be conveyed and the easement received was valued at \$9,610 so that no additional payment should be received for this conveyance; and

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WHEREAS, no real estate broker's commission shall be paid; and

WHEREAS, the sale of the aforementioned property 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 quitclaim deed on file in the office of the City Clerk as Document No. 765626, be, and the same is hereby determined to be surplus and is hereby authorized to be sold by negotiation for the sum of One Dollar (\$1) to H. G. FENTON MATERIAL COMPANY, a California corporation.

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, which is on file in the office of the City Clerk as Document No. 765626, quitclaiming to H. G. FENTON MATERIAL COMPANY, a California corporation, that certain easement, as more particularly described in said 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 O. Valderhaug, Deputy

HOV:brv
1/18/79 Rev. 2/2/79
Or.Dept.:Property
Job-9310C

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

| Councilmen | Yeas | Nays | Not Present | Ineligible |
|---------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Bill Mitchell | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Maureen F. O'Connor | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Bill Lowery | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Leon L. Williams | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Fred Schnaubelt | <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"/> |
| Larry Stirling | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Lucy Killea | <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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Betty Gooding, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 222753 Adopted FEB 5 1979