

(80-702)

RESOLUTION NO.

R-250526

OCT 30 1979

WHEREAS, the Superior Court of the State of California, San Diego County has declared in a lawsuit between the City of San Diego and Otay Land Company (Case Number 388036) that the City of San Diego is the fee owner of portions of Quarter Sections 62, 63, 64, 68, 69, 70, and 71, Rancho de la Nacion.

WHEREAS, Safeco Title Insurance Company, the insurer for Otay Land Company, has requested that the City convey to Otay Land Company the City's interest in this parcel of land to allow for more complete development of the surrounding property.

WHEREAS, the City desires to negotiate the sale of this land to Otay Land Company 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, Resolution No. 223847 erroneously authorized the City to grant this land to Safeco Title Insurance Company; and

WHEREAS, the City desires to retain an easement for pipeline facilities over the entire parcel; and

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

WHEREAS, the value of the property to be conveyed by the City, as determined by an Independent Fee Appraisal, is the sum of ninety six thousand eight hundred twenty five dollars (\$96,825.00); and,

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

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:

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1. That that certain real property described in that Grant Deed on file in the office of the City Clerk as Document No. RR-250526, be and the same is hereby authorized to be sold by negotiation of the sum of Ninety Six Thousand Eight Hundred Twenty-five Dollars (\$96,825) to Otay Land Company.

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 San Diego, a grant deed, a copy of which is on file in the office of the City Clerk as Document No. RR-250526, granting to Otay Land Company portions of Quarter Sections 62, 63, 64, 68, 69, 70 and 71, Rancho de la Nacion, as more particularly described in said deed.

3. That no broker's commission shall be paid by City on this negotiated sale.

4. That the payment of all related expenses in connection with the sale from the proceeds thereof is hereby authorized.

5. That the reason for this negotiated sale is to allow for more complete development of the surrounding property.

6. That the parcel to be sold in this negotiated sale is in excess of the City's needs.

7. That resolution number 223847 is rescinded.

APPROVED: JOHN W. WITT, City Attorney

By 
James J. Thomson, Jr. Deputy

JJT:sm
10/11/79

RR-250526

OCT 30 1979

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Rita Andrews, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-250526 Adopted OCT 30 1979