

RESOLUTION NO. R-253586

FEB 9 1981
(R.81-1402)
(REV.)

WHEREAS, the City Water Utility presently owns a 35.1-acre site in the Rancho Bernardo area which is proposed for development as Rancho Bernardo Community Park; and

WHEREAS, the property is an asset of the City Water Utility as described in Section 53 of the City Charter, and also comprises a portion of the security pledged for outstanding Water Utility bonds; and

WHEREAS, the Water Utility bond covenants provide that Water Utility lands cannot be leased or sold or used by other City departments for non-Water Utility purposes without the payment of fair market value for the property; and

WHEREAS, Section 53 of the City Charter also restricts the use of Water Utility lands for other than Water Utility purposes without making adequate provision therefore; and

WHEREAS, the 35.1-acre parcel is surplus to the Water Utility's needs but is needed for development and use as a public park; and

WHEREAS, the City presently owns another parcel comprising approximately 15.37 acres located at Governor Drive and I-805 and known as Site No. 13-C, which property is not subject to the Water Utility restrictions; and

WHEREAS, the City Council feels that it is appropriate and desirable to designate the presently undivided portion of the 15.37-acre site at Governor Drive and I-805 as Water Utility lands

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in lieu of the 35.1-acre site; and

WHEREAS, the 35.1-acre site has an independently appraised value of \$1,053,000 and the 15.37-acre site has an independently appraised value of \$3,137,000; and

WHEREAS, in view of the difference in property values, it is proposed that the Water Utility receive a 33.57% presently undivided interest in the 15.37-acre parcel in exchange for the 35.1-acre parcel; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the 35.1-acre parcel of land in the Rancho Bernardo area proposed for Rancho Bernardo Community Park is hereby transferred from the Water Utility to the City for development and utilization as a public park.

BE IT FURTHER RESOLVED, that the Water Utility is hereby granted, in exchange for the above parcel, a 33.57% presently undivided interest in the approximately 15.37-acre parcel of land located at Governor Drive and I-805 known as City Site No. 13-C.

BE IT FURTHER RESOLVED, that the Water Utility's 33.57% presently undivided interest shall be security for outstanding Water Utility bonds and that, in the event said 15.37-acre parcel is leased or sold, it shall be leased or sold for the full fair market value and 33.57% of the proceeds of any such lease or sale shall be deposited in the appropriate Water Utility fund.

BE IT FURTHER RESOLVED, that for the same reasons as specified above, the Council finds that it is appropriate and

desirable to designate the remainder of the 15.37-acre site as security for the Water Utility bonds and to exchange the remaining 66.43% interest in said 15.37-acre parcel for the Lake Murray Community Park site (CIP 23-404) which site comprises portions of Lots 57 and 67, Partition of Rancho Mission of San Diego, Map 330.

BE IT FURTHER RESOLVED, that since said Lake Murray Community Park site has an appraised fair market value of \$2,436,000 and the value of a 66.43% interest in the 15.37 acres has a value of \$2,084,000, that the City Manager is hereby authorized and empowered to designate an approximately 37-acre portion of the 43-acre total proposed Lake Murray Community Park site which may be developed for park purposes without additional consideration to the Water Utilities Department.

BE IT FURTHER RESOLVED, that the City Council finds and determines that this inter-departmental exchange meets the requirements of Section 53 of the City Charter concerning the use of Water Utility lands.

APPROVED: JOHN W. WITT, City Attorney

By 
Harold O. Valderhaug, Deputy

HOV:ps:710.5
~~1/29/81~~ Revised 3/3/81
Or.Dept. Prop./Clerk

R-253586

Passed and adopted by the Council of The City of San Diego on FEB 9 1981,
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"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<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"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 Ellen Howard, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-253586 Adopted FEB 9 1981