

RESOLUTION NUMBER R- 254285

Adopted on MAY 26 1981

Condominium Conversion Permit CCP-25-224-0

WHEREAS, DAVID HOLMES, LUPE JIMENEZ, and the OAKWOOD TENANTS' ASSOCIATION, by Vernon Fox, Chairperson, appealed the decision of the Planning Commission in approving Condominium Conversion Permit CCP-25-224-0, which proposes the conversion of existing apartment units (Oakwood Garden Apartments, Mission Bay East) to condominiums. The subject property is located on the east side of Ingraham Street between Fortuna and La Playa Avenues, in the R-3 Zone, within the boundaries of the Mission-Pacific Beach Community Plan, and is more particularly described as Lot 2, Crown Point Country Club, Map-6246; and

WHEREAS, on April 30, 1981, the Planning Commission voted 6 to 0 to approve the condominium conversion permit, and filed said decision in the office of the City Clerk on May 4, 1981; and

WHEREAS, on May 1, 1981, DAVID HOLMES, and on May 12, 1981, LUPE JEMENEZ, and the OAKWOOD TENANTS' ASSOCIATION, by Vernon Fox, Chairperson, pursuant to the provisions of Section 101.0995 of the San Diego Municipal Code, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on May 26, 1981, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; and

WHEREAS, the City Council in considering said appeal is empowered by the provisions of Municipal Code, Section 101.0995.1 to affirm, reverse or modify in whole or in part any determination of the Planning Commission subject to the

limitations as are placed upon the Planning Commission by the Municipal Code;
NOW, THEREFORE,

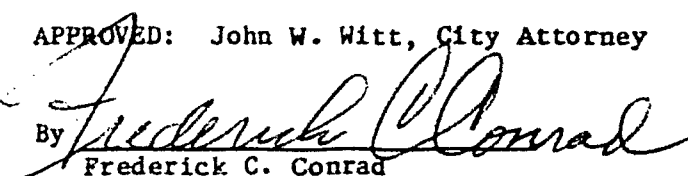
BE IT RESOLVED, by the Council of The City of San Diego, as follows:

That said Council finds that the applicant has complied with all the terms and conditions of the Condominium Conversion Ordinance and that the purpose and intent of the permit will be met.

BE IT FURTHER RESOLVED, that the appeal of DAVID HOLMES, LUPE JIMENEZ, and the OAKWOOD TENANTS' ASSOCIATION, by Vernon Fox, Chairperson, is denied, the decision of the Planning Commission to approve the permit is upheld, and this Council does hereby grant to TRAWEEK INVESTMENT FUND NO. 11, LTD. and MISSION BAY EQUITIES, LTD. Condominium Conversion Permit CCP-25-224-0, in the form and with the terms and conditions as set forth in the permit attached hereto and made a part hereof.

APPROVED: John W. Witt, City Attorney

By


Frederick C. Conrad
Chief Deputy City Attorney

FCC:ps
7/17/81
Or.Dept: Clerk
CCP-25-224-0
R-82-100

R-254285

CONDOMINIUM CONVERSION PERMIT NO. 25-224-0
CITY COUNCIL

This Condominium Conversion Permit is granted by the Council of The City of San Diego to TRAWEEK INVESTMENT FUND NO. 11, LTD., and MISSION BAY EQUITIES, LTD. or their successors in interest, for the purposes and under the terms and on the conditions as set out herein pursuant to the authority contained in Sections 101.0990 to 101.0999 of the Municipal Code of The City of San Diego.

1. This Condominium Conversion Permit shall apply to the 564-unit apartment project at the location described herein. Permission is hereby granted to "Owner/Permittee" to utilize a Condominium Conversion Permit located on the east side of Ingraham Street more particularly described as Lot 2, Crown Point Country Club, Map 6246, in the existing R-3 Zone.

2. The applicant for the Condominium Conversion Permit shall provide the following benefits for those who were tenants on the date of mailing of the notice of the Planning Commission hearing on the Condominium Conversion Permit:

A. A relocation assistance payment equivalent to two (2) months current rent per unit, which shall be paid to the tenants by the applicant, for the purpose of assisting displaced tenants in relocating their places of residence, to be paid on or before the fifth (5) working day after the tenant has vacated the unit.

B. The tenant or tenants shall be entitled to occupancy of the present unit of residence for a period of time that shall be: (1) one year from the date the 180-day written notice of intention to convert is given to the tenants as required by Section 101.0993, Paragraph A3; or (2) 90 days following the notice of the right to purchase, as set forth in Section 101.0993, Paragraph A3, whichever provides the tenant with the greater period of occupancy.

C. Any tenant who is elderly, handicapped, disabled or low income, as defined in Municipal Code Section 101.0991.4, shall be entitled to assistance from the Housing Commission of The City of San Diego in relocating to decent, safe and suitable housing. Relocation assistance shall be available until the expiration of one year from the date on which the 180-day notice provided in Paragraph B, above, was given.

3. The applicant shall mail or cause to be delivered written notice to all tenants residing within the project within ten (10) days after approval of any condominium conversion project. Such notice shall state all of the conditions of the approval.

4. A written notice shall also be given by the applicant to all prospective tenants prior to rental to them of any of the units for which a conversion permit has been applied for or approved, stating that an application for a conversion permit has been filed or granted, advising such prospective tenants that they shall not be entitled to any of the benefits of these provisions, except as provided by California Government Code, Section 66427.1, due to their acceptance of tenancy during a

pending conversion. In the event that the Condominium Conversion Permit is approved, the notice shall also state all of the conditions of the approval.

5. This Permit shall inure to the benefit of and shall constitute a covenant running with the land, and the terms, conditions and provisions hereof shall be binding upon Permittee and any successor or successors thereto; and the interests of any successor shall be subject to each and every condition herein set out.

The Owner/Permittee is aware and understands that failure to perform the obligations of Permittee, as contained on this permit and the Condominium Conversion Permit Ordinance may result in the revocation of this permit by The City of San Diego.

Passed and adopted by the City Council on May 26, 1981.

AUTHENTICATED BY:

Mayor of The City of San Diego, California

City Clerk of The City of San Diego, California

STATE OF CALIFORNIA)
) ss
COUNTY OF SAN DIEGO)

On this _____ day of _____, 19____, before me the undersigned, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared PETE WILSON, known to me to be the Mayor, and CHARLES G. ABDELNOUR, known to me to be the City Clerk of The City of San Diego, the municipal corporation that executed the within instrument and known to me to be the persons who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, in the County of San Diego, State of California, the day and year in this certificate first above written.

(Notary stamp)

Notary Public in and for the County of San Diego, State of California

The undersigned Permittee by execution hereof agrees to each and every condition of this condominium conversion permit and promises to perform each and every obligation of Permittee hereunder.

TRAWEEK INVESTMENT FUND NO. 11, LTD.

By _____

MISSION BAY EQUITIES, LTD.

By _____

NOTE: NOTARY ACKNOWLEDGMENTS
MUST BE ATTACHED - PER
CIVIL CODE, SEC, 1180 et seq.

Passed and adopted by the Council of The City of San Diego on MAY 26 1981,
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Board, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-254285 Adopted MAY 26 1981