

(R-81-2179)
(REV.)

RESOLUTION NUMBER R- 254516

Adopted on JUN 23 1981

WHEREAS, The City of San Diego is the owner of a portion of the West Half of the Southwest Quarter of Section 32, Township 14 South, Range 2 West, S.B.B. & M.; and

WHEREAS, said land is excess to future City needs; and

WHEREAS, the City desires to negotiate the sale of said land to D/H MESA VIEW PARTNERS, a limited partnership, 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 real property as this may reasonably be accomplished by negotiation since, as a practical matter, the real property can only be utilized by the owner of the adjacent parcel; and

WHEREAS, the value of the property to be conveyed by the City, as determined by independent fee appraisal, on December 20, 1980, is the sum of TWO HUNDRED SEVENTEEN THOUSAND DOLLARS (\$217,000.00); and

WHEREAS, the owner of the adjacent parcel has offered only NINETY SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$97,500.00) for the property to be sold based upon the fact that the property to be sold is not needed to allow construction of a 222 unit condominium project on the purchaser's adjacent parcel; and

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

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:

1. That that certain real property described in that grant deed on file in the office of the City Clerk as Document No. RR- 254516, be, and the

same is hereby authorized to be sold by negotiation for the sum of NINETY SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$97,500.00) to D/H MESA VIEW PARTNERS, a limited partnership.

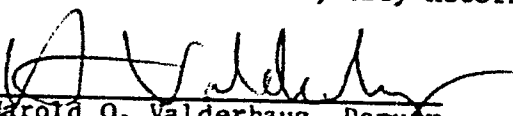
2. That the Mayor and City Clerk of said City be, and they are hereby authorized and empowered to execute, for and on behalf of The City of San Diego, a grant deed, a copy of which is on file in the office of the City Clerk as Document No. RR- 254516, granting to D/H MESA VIEW PARTNERS, a limited partnership, all that portion of the West Half of the Southwest Quarter of Section 32, Township 14 South, Range 2 West, S.B.B. & M., as more particularly described in said grant deed.

3. That no broker's commission shall be paid by The City of San Diego on the herein-described negotiated sale.

4. That the City Manager is hereby authorized and directed to include a provision in the escrow agreement conveying the above property, which provision shall require an additional payment to the City of \$10,000.00 per unit up to a maximum of 12 units for any units over 222 added prior to the completion of construction of a condominium project on the parcel adjacent to the parcel being sold or shall require full payment of \$120,000 if the property or any portion thereof is to be developed commercially as permitted under the approved CO zoning.

5. That the City Clerk 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:ps:712

~~5/19/81~~ Revised 6/19/81

Or.Dept: Prop.

Job: 916265

Form=r.salen

JUN 23 1981

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"/>
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 type="checkbox"/>	<input checked="" 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 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 *Marjorie L. Pontreous*, Deputy.

Office of the City Clerk, San Diego, California

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