

(R-84-1726)

RESOLUTION NUMBER R- 260500

Adopted on APR 23 1984

WHEREAS, in connection with the granting of a Coastal Commission permit, the California Coastal Commission required that a developer, Moonlight Bay Ltd. ("Moonlight"), grant certain property to The City of San Diego ("City") for use in providing low and moderate income housing in the Point Loma area; and

WHEREAS, Moonlight deeded to the City a certain parcel of real property ("Property") which is a portion of Lot 124 of the Pueblo Lands of San Diego and which is more particularly described in Attachment A to this resolution; and

WHEREAS, the City is currently the owner of said Property; and

WHEREAS, said Property is presently subject to certain deed restrictions ("Restrictions") set forth on a grant deed recorded in the office of the Recorder of San Diego County at File/Page No. 80-082202 dated March 11, 1980 ("Grant Deed"); and

WHEREAS, the City Council of The City of San Diego, after careful study and consideration, has determined that it is in the best interest of the residents of the City to remove the Restrictions from said Grant Deed and to sell the Property to the highest responsible bidder; and

WHEREAS, release of the Restrictions requires Coastal Commission assent; and

WHEREAS, the Coastal Commission staff has tentatively agreed to the release of the Restrictions if the City agrees to use the Property sales proceeds to develop as many affordable housing units as possible elsewhere in the Coastal Zone; and

WHEREAS, removal of said Restrictions requires a transfer of interest from Moonlight and San Antonio Enterprises (its successor in interest); and

WHEREAS, San Antonio Enterprises has agreed to transfer their interest in the Restrictions for a \$5,000 payment; NOW, THEREFORE,

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

1. That the Housing Commission's proposed payment of \$5,000 to San Antonio Enterprises Ltd. in exchange for Moonlight Bay Ltd. and San Antonio Enterprises releasing all their rights in the Property is hereby endorsed.

2. That the City Manager is hereby authorized and empowered to accept quitclaim deeds from Moonlight Bay Ltd. and from San Antonio Enterprises Ltd. for their rights in the Property.

3. That the provisions of this resolution are subject to the Housing Commission entering into an appropriate agreement with the Coastal Commission whereby the Coastal Commission will agree to the removal of said deed Restrictions on the Property.

4. That the City Council hereby agrees to utilize the net proceeds from the City's sale of the Property to develop as many

affordable housing units as possible elsewhere in the Coastal Zone.

5. That the City Council will work with the Housing Commission in order to accomplish the development of said affordable housing elsewhere in the Coastal Zone.

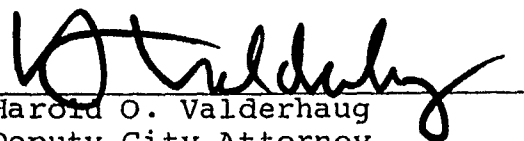
6. That the Housing Commission is hereby authorized and empowered to issue a request for proposals for sale of the Property to the highest responsible bidder.

7. That the Housing Commission is directed to bring any proposed bid for the purchase of the Property to the City Council for its review and approval.

8. That the Housing Commission will be authorized and empowered to deduct, from the Property sales proceeds, the \$5,000 amount paid by the Housing Commission to San Antonio Enterprises and to deduct other costs incurred in the sale of the Property.

APPROVED: John W. Witt, City Attorney

By


Harold O. Valderhaug
Deputy City Attorney

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4/12/84
Or.Dept:Hsg.Comm.
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ATTACHMENT A

All that portion of the southwesterly quarter of Lot 124 of Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by C. H. Poole in 1856, a copy of which said Map was filed in the Office of the County Recorder of San Diego County, November 14, 1921 and is known as Miscellaneous Map No. 35, described as follows:

Beginning at a point on the westerly line of said southwesterly quarter, distant thereon 50.00 feet southerly from the northwesterly corner thereof; thence easterly parallel with the northerly line of said southwesterly quarter 100.00 feet; thence southerly parallel with the westerly line thereof, 50.00 feet; thence westerly parallel with said northerly line 100.00 feet to a point on said westerly line; then northerly along said westerly line 50.00 feet to the point of beginning, said southwesterly quarter of said Pueblo Lot 124 being sometimes known as Lot 1 in Block 124 of La Playa, and also as Lot 1 of Block 20 of Beach Lots of San Diego according to Map thereof made by Lieut. Cave J. Coutts in 1849.

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R- 260500

Passed and adopted by the Council of The City of San Diego on APR 23 1984,
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"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<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"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By Barbara Baxter, Deputy.

Office of the City Clerk, San Diego, California

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