

(R-85-1113)

RESOLUTION NUMBER R- 262404

ADOPTED ON JAN 28 1985

WHEREAS, certain real property owned by the United States, located in the City of San Diego, County of San Diego, State of California, has been declared surplus and is subject to assignment for disposal for public health purposes by the Secretary of Health and Human Services under the provisions of Section 203(k)(1) of the Federal Property and Administrative Services Act of 1949, said property being more particularly described as a portion of Rosedale Tract, Map 825; and


WHEREAS, The City of San Diego needs and can utilize said property for public health purposes in accordance with the requirements of said Act and the rules and regulations promulgated thereunder of which this Council is fully informed, including commitments regarding use and time within which such use shall commence; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that The City of San Diego shall make application to the Secretary of Health and Human Services for, and secure the transfer to it of, the above-mentioned property for said use upon and subject to such exceptions, reservations, terms, covenants, agreements, conditions, and restrictions as the Secretary of Health and Human Services, or his authorized representative, may require in connection with the disposal of said property under said Act and the rules and regulations issued pursuant thereto.

BE IT FURTHER RESOLVED, that The City of San Diego has legal authority, is willing and is in a position financially and otherwise to assume immediate care and maintenance of the property, and that the City Manager be and he is hereby authorized, for and on behalf of The City of San Diego, to do and perform any and all acts and things which may be necessary to carry out the foregoing resolution, including the preparing, making, and filing of plans, applications, reports, and other documents; the execution, acceptance, delivery and recordation of agreements, deeds, and other instruments pertaining to the transfer of said property; the payment of any and all sums necessary on account of the purchase price thereof; and fees or costs incurred in connection with the transfer of said property for surveys, title searches, appraisals, recordation of instruments, or escrow costs, together with any payments by virtue of nonuse or deferral of use of the property.

BE IT FURTHER RESOLVED, that if the City is unable to place the property into use within the time limitations indicated below (or determines that a deferral of use should occur), it is understood that The City of San Diego will pay to the Department of Health and Human Services for each month of nonuse beginning 12 months after the date of the deed, or 36 months where construction or major renovation is contemplated, the sum of 1/360th of the then market value for each month of nonuse.

APPROVED: John W. Witt, City Attorney

By   
Harold O. Valderhaug  
Deputy City Attorney

HOV:ps  
01/10/85  
Or.Dept:Prop.  
Job:517652  
R-85-1113  
Form=r.none

Passed and adopted by the Council of The City of San Diego on JAN 28 1985,  
 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.

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

By *June A. Blackwell*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California	
Resolution Number <u>R-262404</u>	Adopted <u>JAN 28 1985</u>

11/17/83

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