

(R-94-1072)

RESOLUTION NUMBER R- 283424

ADOPTED ON FEB 22 1994

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager is hereby authorized to execute, for and on behalf of The City of San Diego, a "PURCHASE AGREEMENT AND JOINT ESCROW INSTRUCTIONS" with PARK TERRACE PARTNERS, a California general partnership, to purchase in fee a 0.78-acre site known as Lot 9 of Park Terrace, a planned commercial development, together with a proportional interest in the common area, for not to exceed \$1,175,000, for the relocation of the Rancho Bernardo Library, on the general terms and conditions set forth in that Purchase Agreement and Joint Escrow Instructions on file in the office of the City Clerk as Document No. RR- 283424-1.


BE IT FURTHER RESOLVED, that the City Manager is authorized to execute a "PURCHASE AGREEMENT AND JOINT ESCROW INSTRUCTIONS" with PARK TERRACE PARTNERS, conveying to Park Terrace Partners, for the amount of \$1,175,000, the existing City-owned Rancho Bernardo Library located at 16840 Bernardo Center Drive, on the general terms and conditions set forth in that Purchase Agreement and Joint Escrow Instructions on file in the office of the City Clerk as Document No. RR- 283424-2.

BE IT FURTHER RESOLVED, that the total proceeds of the above described sale are hereby authorized to be transferred directly into a concurrent escrow account for the purchase of Lot 9 of Park Terrace, for the relocation of the Rancho Bernardo Library.

BE IT FURTHER RESOLVED, that the City Manager is authorized to execute a "LEASE AGREEMENT BETWEEN PARK TERRACE PARTNERS, A CALIFORNIA GENERAL PARTNERSHIP, AS LANDLORD, AND THE CITY OF SAN DIEGO, A MUNICIPAL CORPORATION, AS TENANT," to leaseback the existing library at 16840 Bernardo Center Drive for a period of up to 30 months, at a rental of \$5,875 per month, plus taxes and all operating expenses, during construction of the new library, under the terms and conditions contained in the "Lease Agreement Between Park Terrace Partners, a California General Partnership, as Landlord, and the City of San Diego, a Municipal Corporation, as Tenant," a copy of which is on file in the office of the City Clerk as Document No. RR- 283424-3

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$16,000 from CIP 35-084.0, Rancho Bernardo Branch Library (Capital Outlay Fund 30245) for acquisition and selling costs related to the sites to be acquired and sold, is hereby authorized and approved.

APPROVED: JOHN W. WITT, City Attorney

By 
Harold O. Valderhaug
Chief Deputy City Attorney

HOV:ps
01/25/94
Or.Dept:Prop.
Job:521219
R-94-1072
Form=r-t

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE

AC 9400734

ORIGINATING DEPT. NO.: 070

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount \$ 16,000.00 Fund 30244/30245/100

Purpose Authorizing the expenditure of funds for acquisition and selling costs related to Rancho Bernardo Library – Relocation; including lease payments.

Date January 25, 1994 By: 

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
01	0		30244	106	4279	350840		3245		\$16,000.00
02	0	100	310	330	4682	003282				35,000.00
TOTAL AMOUNT										\$51,000.00

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ _____

Vendor _____

Purpose _____

Date _____ By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

R. 283424

FEB 22 1994

AC 9400734