

RESOLUTION NUMBER R- 285960

ADOPTED ON JUN 13 1995

A RESOLUTION DETERMINING AND DECLARING THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY OF THE CITY OF SAN DIEGO REQUIRE THE RECONSTRUCTION AND EXPANSION OF FIRE STATION #11 IN ORDER TO CONSTRUCT A NEW FACILITY WHICH WILL HAVE ENOUGH SPACE TO ALLOW ADDITIONAL ENGINE TRUCKS AND PARAMEDICS TO BE HOUSED AT THIS CRUCIAL LOCATION; THAT SAID EXPANSION WILL ENABLE THE CITY TO PROVIDE FOR THE HEALTH AND SAFETY NEEDS FOR THE GREATER GOLDEN HILLS AREA IN THE CITY OF SAN DIEGO; THAT SAID EXPANSION WILL NECESSARILY REQUIRE THE ACQUISITION OF REAL PROPERTY LOCATED AT 935-937½ 25TH STREET, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, AND THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY DEMAND THE ACQUISITION; THAT THE PROPOSED PROJECT IS PLANNED IN A MANNER THAT WILL BE MOST COMPATIBLE WITH THE GREATEST PUBLIC GOOD AND THE LEAST PRIVATE INJURY; AND DECLARING THAT AN OFFER TO PURCHASE THE PROPERTY, PURSUANT TO GOVERNMENT CODE SECTION 7267.2, AT THE APPRAISED FAIR MARKET VALUE HAS BEEN MADE TO THE OWNERS OF RECORD OF THE PROPERTY; AND DECLARING THE INTENTION OF THE CITY OF SAN DIEGO TO ACQUIRE SAID EASEMENTS UNDER EMINENT DOMAIN PROCEEDINGS; AND DIRECTING THE CITY ATTORNEY OF THE CITY OF SAN DIEGO TO COMMENCE AN ACTION IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF SAN DIEGO, FOR THE PURPOSE OF CONDEMNING AND ACQUIRING SAID EASEMENTS AND ACQUIRING IMMEDIATE POSSESSION THEREOF.

WHEREAS, the Council of The City of San Diego has provided notice to those persons designated in Section 1245.235, Code of Civil Procedure, and also has provided all persons a reasonable

opportunity to appear and be heard on the matters referred to in Section 1240.030, Code of Civil Procedure; NOW, THEREFORE,

Section 1. That the public interest, convenience and necessity of the City of San Diego, and the inhabitants thereof, require the reconstruction and expansion of Fire Station #11 in order to construct a new facility which will have enough space to allow additional engine trucks and paramedics to be housed at this crucial location; that said expansion will enable the City to provide for the health and safety needs for the greater Golden Hills area, in the City of San Diego; that said expansion will necessarily require the acquisition of real property located at 935-937½ 25th Street, in the City of San Diego, County of San Diego, State of California, as more particularly described hereinafter.

Section 2. That the public interest, convenience and necessity of said City, and the inhabitants thereof, demand the acquisition and taking of said real property for the reconstruction and expansion of Fire Station #11 project; said real property lying within the City of San Diego, County of San Diego, State of California.

Section 3. That Section 220, the Charter of the City of San Diego; Sections 1240.010, 1240.110, 1240.120 and 1255.410 Code of Civil Procedure; Sections 5100-5102, 5023 and 5023.1 of the Streets and Highways Code; and Section 37350.5 of the Government Code permit the acquisitions referenced herein.

Section 4. That the parcel of real property sought to be condemned is described as follows:

LOT 11 IN BLOCK 2 OF BARTLETT ESTATE
COMPANY'S SUBDIVISION OF BLOCKS 25 & 26 OF
BREED & CHASE'S ADDITION, IN THE CITY OF SAN
DIEGO, COUNTY OF SAN DIEGO, STATE OF
CALIFORNIA, ACCORDING TO MAP THEREOF NO. 942,
FILED IN THE OFFICE OF THE COUNTY RECORDER OF
SAN DIEGO COUNTY, MARCH 27, 1905.

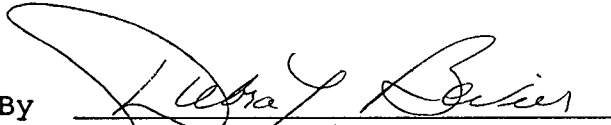
Section 5. That the taking and acquiring by said City of the real property hereinabove described is deemed necessary for the reconstruction and expansion of Fire Station #11 in order to construct a new facility which will have enough space to allow additional engine trucks and paramedics to be housed at this crucial location; said expansion will enable the City to provide for the health and safety needs for the greater Golden Hills area, that said expansion will necessarily require the acquisition of real property located at 935-937½ 25th Street, in the City of San Diego for the inhabitants thereof, for municipal purposes; and that such uses are public uses authorized by law (Section 220, Charter of the City of San Diego; Sections 1240.010, 1240.110, 1240.120, and 1255.410, Code of Civil Procedure; Sections 5100 - 5102, 5023 and 5023.1 of the Streets and Highways Code; and Section 37350.5 of the Government Code); that for such public use, it is necessary that The City of San Diego condemn and acquire said real property; that said real property is to be used for the reconstruction and expansion of Fire Station #11, which is planned and located in a manner most compatible with the greatest public good and the least private injury.

Section 6. That an offer to acquire the property, pursuant to Government Code Section 7267.2, at the appraised fair market value has been made to the owners of record of the property.

Section 7. That the City Attorney of The City of San Diego be, and he is hereby authorized and directed to commence an action in the Superior Court of the State of California, in and for the County of San Diego, in the name and on behalf of The City of San Diego, against all owners and claimants to an interest in the above-described real property, for the purpose of condemning and acquiring the property and easements as above described and obtaining immediate possession of said parcels for the use of said City.

APPROVED: JOHN W. WITT, City Attorney

By


Debra J. Bevier
Deputy City Attorney

DJB/djr/Lit
05/05/95
Or.Dept:Prop
Aud.Cert:9501009
R-95-1645
Form=r.sew

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 9501009

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 \$ 250,000 Fund 30244/63022

Purpose Authorizing the expenditure of funds for the reconstruction of fire station #11

Date March 31, 1995 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	30244	106	4279	330820		63022		\$250,000.00
TOTAL AMOUNT										\$250,000.00

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

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