

**286533**

RESOLUTION NUMBER R-

**NOV 06 1995**

ADOPTED ON

WHEREAS, there is a need to upgrade the existing Penaquitos Canyon Interceptor Sewer in order to accommodate ultimate flows; and

WHEREAS, the project provides for a pump station and combination force main/gravity sewer which parallels the existing Penasquitos Canyon Interceptor Sewer; and

WHEREAS, completion of the project requires that an access road and pump station be constructed within the Miramar Ranch North community planning area, on a portion of a 74-acre parcel located northeast of Interstate 15/Mercy Road and within the Miramar Ranch North community planning area owned by Catholic Healthcare West, the parent company of Mercy Hospital (Mercy); and

WHEREAS, the Mira Mesa Community Plan specifies that Mercy dedicate approximately 64 of its 74 acres to the Los Penasquitos Canyon Preserve, in exchange for which Mercy will receive a density increase from 0 to 4 units per acre to 12.5 to 18 units per acre on its residentially designated property; and

WHEREAS, the Metropolitan Wastewater Department wishes to construct the Penasquitos Trunk Sewer and Pump Station on 6.82 acres of the land owned by Mercy; and

WHEREAS, Mercy wishes to develop the remaining portion of its land; and

WHEREAS, the dedication of 64 acres of land will result in the land locking of the remaining ten buildable acres owned by Mercy, designated "Future Institutional" in the Miramar Ranch North Community Plan; and

WHEREAS, it is proposed that Mercy reduce its donation to 59 acres of land, thereby allowing it to gain access to the public right-of-way; and

WHEREAS, the project requires the granting of an easement to the City and the vacation by the City of a portion of Alemania Road and other related items; NOW, THEREFORE,

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

1. That the acceptance by the City Manager of a grant deed from CATHOLIC HEALTHCARE WEST, a copy of which deed is on file in the office of the City Clerk as Document No. RR-286533 - | conveying to the City 59 acres of land described as a portion of the Southeast Quarter of the Northeast Quarter, the Northwest Quarter of the Southeast Quarter and Lot 2, in Section 20, Township 14 South, Range 2 West, San Bernardino Meridian, for open space and pump station use, is hereby authorized and approved.

2. That 52.18 acres of said land, as shown on the map attached hereto as Attachment A, are hereby designated as open space to be added to Penasquitos Canyon Preserve.

3. That 6.82 acres of said land, as shown on the map attached hereto as Attachment A, are hereby designated as general City land and the Metropolitan Wastewater Department is authorized the use of said land for the construction and operation of an access road and pump station for the Penasquitos

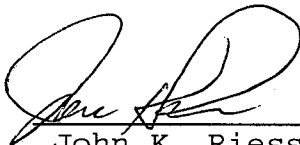
Trunk Sewer.

4. That the acceptance by the City Manager of a grant deed of CATHOLIC HEALTHCARE WEST, executed in favor of the City of San Diego, dated September 19, 1995, a copy of which is on file in the office of the City Clerk as Document No. RR-286533-2, conveying to the City a permanent easement and right-of-way for a public street in a portion of Parcel 2 of Parcel Map 14491, is hereby authorized and approved.

5. That the City Manager is hereby authorized to execute, for and on behalf of the City of San Diego, a quitclaim deed, a copy of which is on file in the office of the City Clerk as Document No. RR-286533-3, quitclaiming to CATHOLIC HEALTHCARE WEST, all the City's right, title and interest in and to that portion of Lot 3 of Section 20, Township 14 South, Range 2 West, San Bernardino Base and Meridian, being a vacated portion of Alemania Road, as more particularly described in the quitclaim deed.

6. That the expenditure of an amount not to exceed \$10,000 from Sewer Revenue Fund 41506 (CIP 46-120, Penasquitos Trunk Sewer Relief) for acquisition of property rights and related costs for the Penasquitos Trunk Sewer, is hereby authorized and approved.

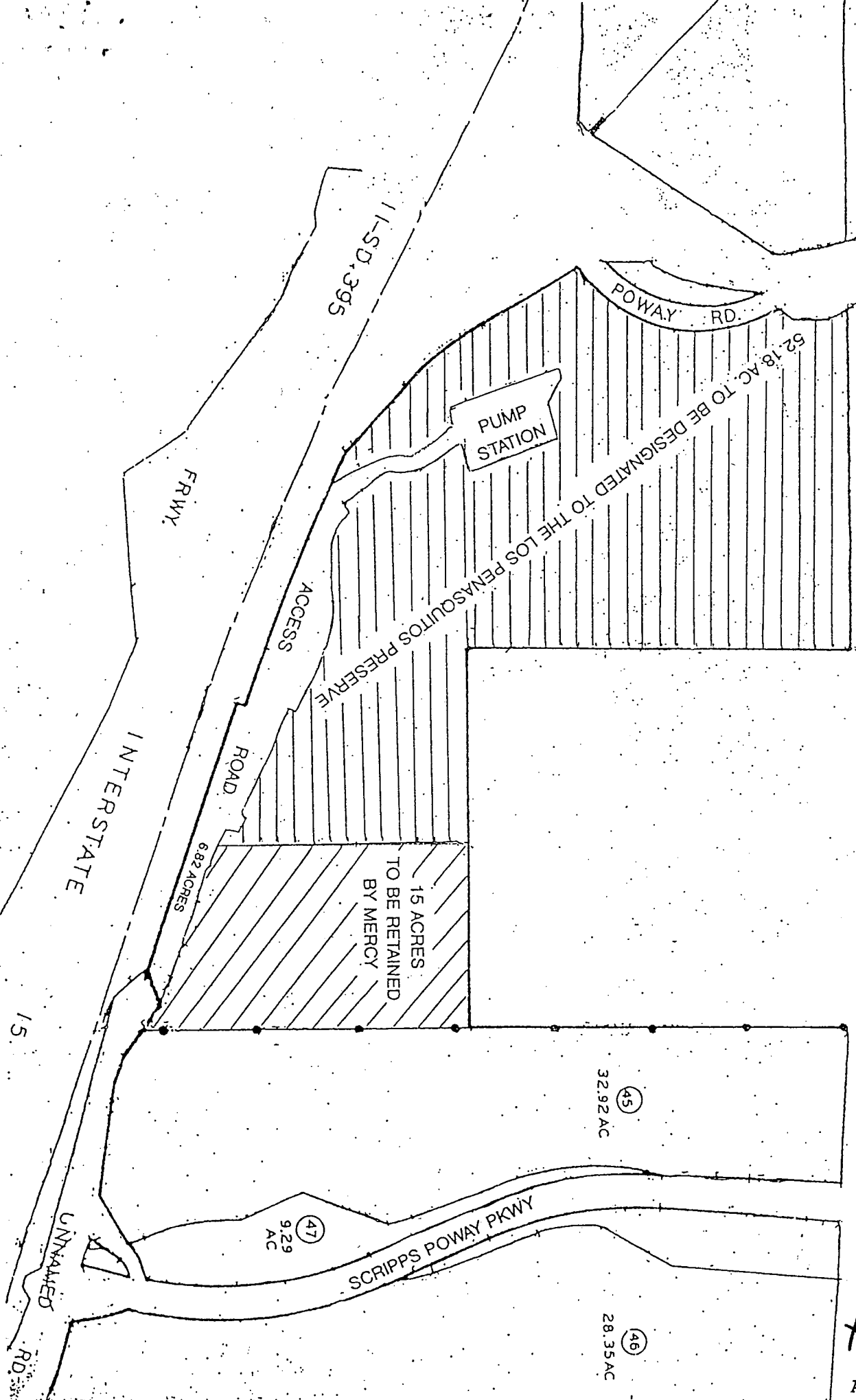
APPROVED: JOHN W. WITT, City Attorney

By   
\_\_\_\_\_  
John K. Riess  
Senior Deputy City Attorney

JKR:ps  
10/17/95  
Or.Dept:REA  
Aud.Cert:9600390  
R-96-424

R- 286533

PENASQUITOS TRUNK SEWER/CATHOLIC HEALTHCARE WEST



R 286533

ATTACHMENT A

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

**CERTIFICATE OF UNALLOTTED BALANCE** AC 9600390

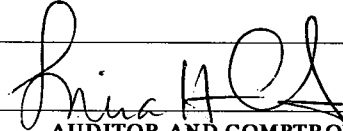
ORIGINATING DEPT. NO.: 700

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 \$ 10,000.00 Fund 30244/41506

Purpose Authorizing the expenditure of funds for acquisition of property rights and related costs for Penasquitos Trunk Sewer Project.

Date October 3, 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	40012	700		4278	171989		41506		\$10,000.00
TOTAL AMOUNT										\$10,000.00

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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