

RESOLUTION NUMBER R- 287855

ADOPTED ON SEP 30 1996

WHEREAS, THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES, on behalf of its separate Account 8, The Prime Property Fund, has requested an exchange of water easements in portions of Lots 4, 5 and 6 of Fashion Valley Center, Map No. 10282; and

WHEREAS, the City Manager has certified that the values of the property rights to be exchanged are equal; and

WHEREAS, the easement to be acquired will serve the same use and purpose as the easement to be quitclaimed by the City; NOW, THEREFORE,

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

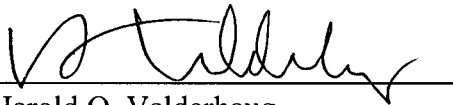
1. That the acceptance by the City Manager of that deed of THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES, executed in favor of The City of San Diego, bearing date of October 6, 1995, conveying to said City a water easement in Lots 4, 5 and 6 of Fashion Valley Center, Map No. 10282, as more particularly described in said deed, a copy of which is on file in the office of the City Clerk as Document No. RR- 287855-1, is hereby approved.

2. That the City Manager or his designee be, and he is hereby authorized and empowered 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- 287855-2, quitclaiming to THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES, all of the City's

right, title and interest in the water easement in Lots 4, 5 and 6 of Fashion Valley Center, Map No. 10282, as more particularly described in the quitclaim deed.

3. That the City Clerk shall cause both deeds, and a certified copy of this resolution, attested by him under seal, to be recorded in the office of the County Recorder, the easement deed recorded at no fee, for the benefit of the City, with no documentary tax due.

APPROVED: John W. Witt, City Attorney

By 
Harold O. Valderhaug
Head Deputy City Attorney

HOV:ps
09/04/96
Or.Dept:Dev.Svcs.
WO.950299
R-97-132
Form=ex.res