

RESOLUTION NUMBER R- 289084

ADOPTED ON AUG 11 1997

WHEREAS, AG Land Associates, LLC. (the "Owner") is the owner of certain property located in the City of San Diego which is the subject of the Vesting Tentative Map for the Montana Mirador Subdivision (VTM 87-0925) (the "Property"); and

WHEREAS, on January 16, 1996, the Council of The City of San Diego considered and approved an application for the Montana Mirador Project (Vesting Tentative Map, Rezone, Planned Residential Development Permit, Community Benefits Agreement, Hillside Review Permit and Resource Protection Overlay Zone Permit no. 87-0925); and

WHEREAS, the Property contains core biological resources as identified in the Multiple Species Conservation Program; and

WHEREAS, the Property has been included in the City's Multiple-Habitat Planning Area of the City's Multiple Species Conservation Program Subarea Plan; and

WHEREAS, the City has approved the MSCP, The City of San Diego Subarea Plan and associated Community Plan amendments; and

WHEREAS, the City Council directed the City Manager's office to work with the Owner towards the acquisition of the Property; and

WHEREAS, the Owner expressed a willingness to negotiate in good faith for acquisition of the Property with the City; and

WHEREAS, the City Manager's office and the property owner have successfully negotiated terms to give the City the option to purchase the property at fair market value; and

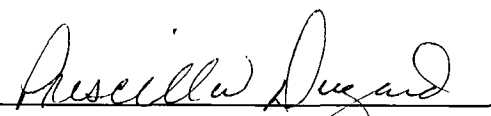
WHEREAS, exercise of the option will require subsequent action by the City Council;
and

WHEREAS, the terms of the proposed agreement contemplate the City entering into a Development Agreement with the Owner to vest the Owner's right to develop the Property according to the January 16, 1996 development approvals in the event the City does not acquire the Property; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be, and he is hereby authorized to enter into an Option Agreement and Escrow Instructions by and between AG Land Associates, LLC, as Seller, and The City of San Diego, as Buyer, for and on behalf of The City of San Diego, under the terms and conditions set forth in the agreement, on file in the office of the City Clerk as Document No. RR-289084.

BE IT FURTHER RESOLVED, that the City Manager be and is hereby directed to return to the City Council no later than November 4, 1997 with a proposed Development Agreement for consideration by Council.

APPROVED: CASEY GWINN, City Attorney

By 
Prescilla Dugard
Deputy City Attorney

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