

RESOLUTION NUMBER R- 289360

ADOPTED ON NOV 04 1997

WHEREAS, Otay Mesa Business Park, Ltd. (“Subdivider”) has presented to the Council of The City of San Diego, for approval and recordation, a final subdivision map of a proposed subdivision to be known as “Otay Mesa Business Park, Ltd.”; and

WHEREAS, in conjunction with the approval of the final map, Subdivider has requested that certain required public improvements be installed after recordation of the final map; and

WHEREAS, the Subdivision Map Act, Section 66499, authorizes the City to enter into a Subdivision Improvement Agreement to provide for the later installation of public improvements by providing for a lien on the subdivided property, if the City finds that it would not be in the public interest to require the improvements sooner than two years after recordation of the map; and

WHEREAS, as part of final map approval, Subdivider will dedicate a portion of it’s property needed by the City for the widening of Otay Mesa Road; and

WHEREAS, due to economic conditions, Subdivider will not be in a position to provide improvements and proceed with construction sooner than two years after recordation; and

WHEREAS, if conditions change, and the Subdivider determines to move forward with the development, Subdivider will be required to provide security to ensure the completion of the public improvements; NOW THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the Council finds based upon the information set forth above and provided in the record on this matter, pursuant to

Subdivision Map Act section 66499(a)(4) that it is not in the public interest to require the public improvements sooner than two years after recordation of the final map.

BE IT FURTHER RESOLVED, that the City Manager be, and he is hereby authorized to execute, for and on behalf of The City of San Diego, a Subdivision Improvement Agreement (Deferred Improvement Development) with Otay Mesa Business Park, Ltd., for the installation and completion of certain public improvements in the subdivision to be known as Otay Mesa Business Park, under the terms and conditions set forth in the agreement, on file in the office of the City Clerk as Document No. RR- 289360.

APPROVED: CASEY GWINN, City Attorney

By Prescilla Dugard
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Deputy City Attorney

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