

(O-99-48)

ORDINANCE NUMBER O- 18602 (NEW SERIES)

ADOPTED ON NOV 10 1998

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE PARK SITE PURCHASE AGREEMENTS FOR THE TORREY HIGHLANDS SUBAREA IV PLAN OF THE NORTH CITY FUTURE URBANIZING AREA.

WHEREAS, on August 5, 1996, the Council of The City of San Diego adopted the Torrey Highlands Subarea IV Plan [Subarea Plan] as an amendment to the Progress Guide and General Plan and North City Future Urbanizing Area [NCFUA] Framework Plan, a copy of which is on file in the office of the City Clerk as Document No. RR-287749; and

WHEREAS, Resolution No. R-287749 requires that each property owner with land designed for a park site in the Subarea Plan execute a purchase contract with the City as one of six requirements to be fulfilled prior to the Subarea Plan becoming effective; and

WHEREAS, the City Manager, the City Attorney, and the affected property owners have negotiated and reached a consensus on the terms of the purchase contracts that ensure compliance with the NCFUA Framework Plan of securing public facilities in a timely fashion; and

WHEREAS, the City desires that the Subarea Plan becomes effective to further the implementation of all of the goals and objectives of the NCFUA Framework Plan with respect to Subarea IV, and approval of these purchase contracts would allow the property owners to fulfill the final requirement for the Subarea Plan to become effective; NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute, on behalf of The City of San Diego, the Park Site Purchase Agreement [Agreement] with KMC II, Ltd., a California Limited Partnership, for the purchase of land identified as APN 306-011-09 for a park site within Subarea IV, in full satisfaction of the condition provided for in paragraph 5(vi) of Resolution No. R-287749, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. OO-18602 - 1.

Section 2. That the City Manager is authorized to execute, on behalf of The City of San Diego, the Park Site Purchase Agreement [Agreement] with Horseshoe Investors, Ltd., a California Limited Partnership, for the purchase of land identified as APN 306-011-10 for a park site within Subarea IV, in full satisfaction of the condition provided for in paragraph 5(vi) of Resolution No. R-287749, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. OO-18602 - 2.

Section 3. That the City Manager is authorized to execute, on behalf of The City of San Diego, the Park Site Purchase Agreement [Agreement] with Apogee Investors, Ltd., a California Limited Partnership, for the purchase of land identified as APN 306-011-11 for a park site within Subarea IV, in full satisfaction of the condition provided for in paragraph 5(vi) of Resolution No. R-287749, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. OO-18602 - 3.

Section 4. That the City Manager is authorized to execute, on behalf of The City of San Diego, the Park Site Purchase Agreement [Agreement] with BMR Investors, Ltd., a California Limited Partnership, for the purchase of land identified as APN 306-011-19 for a park site within Subarea IV, in full satisfaction of the condition provided for in paragraph 5(vi) of Resolution

No. R-287749, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. OO- 18602-4.

Section 5. That the City Manager is authorized to execute, on behalf of The City of San Diego, the Park Site Purchase Agreement [Agreement] with Emily Kuo, a single woman (50 percent), and Albert Tung, a married man (50 percent), for the purchase of land identified as APN 306-011-04 for a park site within Subarea IV, in full satisfaction of the condition provided for in paragraph 5(vi) of Resolution No. R-287749, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. OO- 18602-5.

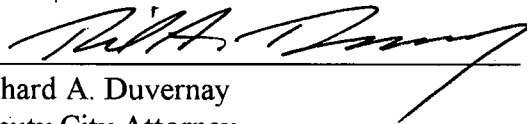
Section 6. That the City Manager is authorized to execute, on behalf of The City of San Diego, the Park Site Purchase Agreement [Agreement] with Emily Kuo, a single woman, for the purchase of land identified as APN 306-011-13 for a park site within Subarea IV, in full satisfaction of the condition provided for in paragraph 5(vi) of Resolution No. R-287749, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. OO- 18602-6.

Section 7. That the City Manager is authorized to execute, on behalf of The City of San Diego, the Park Site Purchase Agreement [Agreement] with Frank Anderson, Richard M. and Catherine M. Butler, Stafford & Wilma L. Hare, and Black Mountain Road Investors, a California Limited Partnership, for the purchase of land identified as APN 306-011-18, for a park site within Subarea IV, in full satisfaction of the condition provided for in paragraph 5(vi) of Resolution No. R-287749, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. OO- 18602-7.

Section 8. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 9. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By 
Richard A. Duvernay
Deputy City Attorney

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