

RESOLUTION NUMBER R- 292402

ADOPTED ON NOV 02 1999

WHEREAS, the Stephen & Mary Birch Foundation has offered to donate to The City of San Diego a 12-story office building located at the northeast corner of 5th Avenue and Broadway which is the former First National Bank building, consisting of 124,000 square feet of floor area on a 10,000 square foot parcel; and

WHEREAS, the building is to be transferred to the Redevelopment Agency of San Diego who will indemnify the City as to any liabilities that may arise as a result of the donation which may include the liabilities of toxic remediation, demolition, or ultimate redevelopment disposition; and

WHEREAS, any net proceeds that may be derived from the ultimate disposition of the building will be used to benefit the City's Central Library System; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the generous donation of the property at 1007 5th Avenue, identified as Lots E & F of Block 35, Horton's Addition, from the Stephen & Mary Birch Foundation, Inc., is gratefully acknowledged and accepted.

BE IT FURTHER RESOLVED, that the City Manager is authorized to execute an agreement with the Redevelopment Agency of The City of San Diego for the conveyance of the real property to the Redevelopment Agency, which agreement shall provide that the Redevelopment Agency shall indemnify the City and hold the City harmless as to any liability that may arise as a result of the City's accepting the donation of the property, including liabilities associated with toxic remediation, demolition or the redevelopment disposition of the property, a

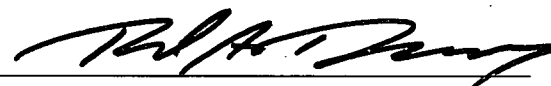
copy of which agreement is on file in the office of the City Clerk as Document No.

RR- 292402-1

BE IT FURTHER RESOLVED, that the City Manager or his designee is 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- 292402-2, to the Redevelopment Agency, granting all the City's right, title and interest in Lots E & F of Block 35, Horton's Addition, as more particularly described in the quitclaim deed.

BE IT FURTHER RESOLVED, that the deposit of any net proceeded funds derived out of the final disposition of Lots E & F of Block 35, Horton's Addition, is authorized to a fund to benefit the Library System.

APPROVED: CASEY GWINN, City Attorney

By 
for Prescilla Dugard
Deputy City Attorney

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